



# **G R E T A**

Group of Experts on Action  
against Trafficking in Human Beings

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## **Reply from Albania to the Questionnaire for the evaluation of the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the Parties**

### **Fourth evaluation round**

Thematic focus: Addressing vulnerabilities to trafficking in  
human beings

Reply submitted on 20 February 2024

## Introduction

In accordance with Article 38, paragraph 1, of the Convention on Action against Trafficking in Human Beings (“the Convention”), GRETA evaluates the implementation of the Convention following a procedure divided into rounds. At the beginning of each round, GRETA selects the specific provisions on which the evaluation procedure is based.

The first round of monitoring of the Convention provided an overview of its implementation by States Parties. The second evaluation round of the Convention examined the impact of legislative, policy and practical measures on the prevention of trafficking in human beings (THB), the protection of the rights of victims of trafficking, and the prosecution of traffickers, paying particular attention to measures taken to address new trends in human trafficking, in particular trafficking for the purpose of labour exploitation, and the vulnerability of children to trafficking. The third evaluation round focused on trafficking victims’ access to justice and effective remedies.

GRETA has decided that the fourth evaluation round of the Convention will focus on **vulnerabilities to human trafficking** and measures taken by States Parties to prevent them, detect and support vulnerable victims, and punish the offenders. This includes a focus on the use of information and communication technology (ICT), which brings structural changes to the way offenders operate and exacerbates existing vulnerabilities.<sup>1</sup>

A number of provisions of the Convention establishing substantive and procedural obligations are relevant to this topic. The concept of “vulnerability” appears in Articles 4 (definitions), 5 (prevention of trafficking in human beings) and 12 (assistance to victims) of the Convention. According to paragraph 83 of the Explanatory report to the Convention, “by abuse of a position of vulnerability is meant abuse of any situation in which the person involved has no real and acceptable alternative to submitting to the abuse. The vulnerability may be of any kind, whether physical, psychological, emotional, family-related, social or economic. The situation might, for example, involve insecurity or illegality of the victim’s administrative status, economic dependence or fragile health. In short, the situation can be any state of hardship in which a human being is impelled to accept being exploited. Persons abusing such a situation flagrantly infringe human rights and violate human dignity and integrity, which no one can validly renounce.”

GRETA refers to the ICAT Issue Brief No. 12/2022 on Addressing vulnerability to trafficking in persons which refers to vulnerability as “those inherent, environmental or contextual factors that increase the susceptibility of an individual or group to being trafficked”. It classifies vulnerability factors in three categories: personal (e.g. age, gender, ethnicity, disability), situational (e.g. destitution, unemployment, legal status) and contextual (e.g. discriminatory laws, policies and social norms, armed conflicts, crises) factors, which interact and may increase the risk of human trafficking for certain individuals, groups and/or communities.<sup>2</sup> Vulnerability to human trafficking is also subject to intersectional factors, such as gender, belonging to a minority group and socio-economic status.

Applying a socio-ecological approach to the analysis of vulnerability to human trafficking demonstrates how different risk factors influence vulnerability, and how protective factors may reduce the risk of victimisation by increasing resilience.<sup>3</sup> The socio-ecological model considers the complex interplay between individual, relationship, community and societal factors. It helps to understand how anti-trafficking strategies should: (a) reduce the vulnerability of individuals, (b) work with the communities (which may also include relationships) concerned to ensure that their practices or current dynamics

<sup>1</sup> [Paolo Campana, Online and Technology-Facilitated Trafficking in Human Beings, Council of Europe, April 2022.](#)

<sup>2</sup> [ICAT Issue Brief No. 12 on Addressing vulnerability to trafficking in persons - Search \(bing.com\)](#)

<sup>3</sup> [https://www.avoicforcentraloregon.com/uploads/1/3/9/9/139904528/socio\\_ecological\\_model\\_and\\_trafficking.pdf](https://www.avoicforcentraloregon.com/uploads/1/3/9/9/139904528/socio_ecological_model_and_trafficking.pdf)

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do not exacerbate or contribute to vulnerabilities to human trafficking and, (c) change a number of system-driven or structural elements (such as policies) so that they do not facilitate but discourage an environment conducive to human trafficking.

In addition to the thematic focus on vulnerabilities to human trafficking, GRETA has decided that each State Party will receive **country-specific follow-up questions** related to recommendations not implemented or partially implemented after the third evaluation round.

States Parties are requested to transmit to GRETA a reply to this questionnaire **within four months** from the date it was sent. The reply to the questionnaire should be submitted in one of the official languages of the Council of Europe (English and French), and preferably also in the original language. Where appropriate, in order to avoid unnecessary repetition, the reply may refer to information contained in the report submitted by the national authorities on measures taken to comply with the Committee of the Parties' recommendation concerning the implementation of the proposals made in GRETA's third evaluation report. States Parties should provide links, copies or extracts of relevant legislation, regulations, national action plans and case law mentioned in the reply to the questionnaire, in the original language and, wherever possible, also in one of the official languages of the Council of Europe.

A variety of stakeholders and civil society representatives should be effectively consulted in the preparation of the reply to the questionnaire, to ensure that the information provided is as comprehensive as possible.

## **Part I – Addressing vulnerabilities to trafficking in human beings**

### **I. PREVENTION (Articles 5, 6 and 7)**

**1. Do you have specific data/research/analysis of what makes people vulnerable to trafficking in human beings (THB) in your country? Please provide information on the categories/groups of people identified as being at risk of becoming victims of human trafficking, and how they are addressed in the national anti-trafficking strategy and/or action plan. Have you identified geographical regions or economic sectors in your country as particularly vulnerable to THB, and how do you address them in your strategy or policy?**

The fight against human trafficking continues to be one of the key priorities of the Albanian government and all other structures with duties and responsibilities in this regard. In 2002, with the law no. 8920, dated 11.7.2002, the "United Nations Convention against International Organized Crime" and its two additional protocols were ratified. Since 2002, in order to have a coordinated action against human trafficking and to minimize this phenomenon, Albania implements a national strategic framework and action plans (2002-2005, 2007-2010, 2011-2013, 2014-2017, 2018 -2020, 2021-2023 and currently the new National Action Plan for the Fight against Human Trafficking 2024-2025 has been drafted, which is coordinated and monitored by the Ministry of Interior and implemented by state structures and civil society organizations operating in the field anti-trafficking.

Based on the data collected and analyzed by the Responsible Authority, Albania is the country of origin, transit and destination for victims and potential victims of trafficking.

The two main forms of trafficking in Albania include trafficking for the purpose of sexual exploitation, where victims are forced to perform prostitution and trafficking for begging and forced labor, to continue with children in street situation, minor criminal offenses (theft, drug distribution, etc.), promise of marriage, etc. Vulnerable groups, including women and children, are particularly at risk. Poverty, unemployment and social instability contribute to the sensitivity of individuals to trafficking networks. Internal trafficking, where victims are moved within the country, continues to be a constant trend. This trend includes the trafficking of individuals from rural to urban areas or between different regions within Albania.

The most vulnerable group for victimization, both for exploitation of prostitution and other possible forms of exploitation, continues to be the female gender. Children are mostly used for begging and minor criminal offenses. One of the vulnerable groups that are exploited by traffickers are women and girls with mental health problems, who are exploited by them for sexual purposes. Some of the methods used by traffickers are the promise of marriage, the promise of work, the exploitation of various vulnerable situations, recruitment from social networks by involving them in dangerous situations that lead to exploitation.

Regarding the trafficking of children for the purpose of "exploitation for begging or forced labor" in neighboring countries, the EU or the United Kingdom, in most cases it has turned out that it was their family members who took them out of the territory of Republic of Albania towards EU destination countries, to join their family members, or to benefit from the asylum law, behaving as a trafficked victim in order to obtain documentation for permanent residence in those countries.

Regarding the recruitment method, mainly girls with divorced parents, without support or in economic and health difficulties are selected. At first, they create intimate relationships with traffickers and then,

through fraud and coercion, they are used for prostitution. They also control the victims through physical, emotional and psychological abuse, sexual abuse, threats, forced use of alcohol and drugs, etc. Another method is recruiting through social networks, such as: FaceBook, Instagram or Snapchat, etc., offering engagement/marriage, or promising work and a better life. Also, another way of recruitment is through the phone or acquaintances from other people, where the traffickers go to the girls' families, using marriage as an excuse and introducing themselves as the groom or his family members.

**2. What specific measures are taken to reduce children's vulnerability to THB by creating a protective environment for children? Please provide information in the following areas:**

- a. protecting children's rights from attitudes, customs, behaviour and practices that can have an adverse effect (including child, early and forced marriage, and illegal adoption);

Albanian legislation does not allow early and forced marriages. Article no. 7 of the Family Code provides: "Marriage can be concluded between a man and a woman who have reached the age of 18. The court of the country where the marriage takes place, for important reasons, may allow the marriage even before this age". Article no. 8 of the Family Code provides: "Marriage is concluded in front of civil status office officials, with the free consent of the two future spouses".

The Family Code provides a chapter from article no. 240-262 for legal adoption, conditions and cases of prohibition of adoption. Law no. 9695, dated 19.3.2007, "On adoption procedures and the Albanian adoption commission", updated, provides the procedures for legal adoption.

Child victims are informed of their rights from the first contact. Article no. 58/a of the Code of the Criminal Procedure "Rights of the minor victim" (added by law no. 35/2017, dated 30.3.2017) provides that: the minor victim has the right: (a) to be accompanied by a person trusted by him; b) maintaining the confidentiality of personal data; c) to request, through the representative, that the trial take place without the presence of the public. The prosecuting body must treat the minor victim of the criminal offense considering their age, personality and other circumstances, in order to avoid harmful consequences for her/his future development and education. If there is a possibility that the victim is a minor and the victim's age is not known, it is presumed that he/she is a minor. The minor victim is questioned without delay by specialized persons for this purpose. When it is possible and appropriate, the conversation is recorded by audiovisual means, according to the provisions of this Code. This recording can be used as evidence in criminal proceedings and is evaluated together with other evidence, according to the criteria provided by paragraph 4 of article no. 361/a of this Code. When the minor victim is under 14 years old, the conversation takes place in environments adapted for him.

The strategic document "National Agenda for Children's Rights 2012-2026", approved by Decision of the Council of Ministers (DCM) no. 659, dated 03.11.2021, in one of the main strategic pillars "Elimination of all forms of violence, exploitation, abuse and harmful practices", provides measures, which aim for children to grow up in a supportive environment, with positive practices of parenting that protect them from violence and abuse. For the realization of this goal in one of the objectives, which has to do with addressing negative social norms in the community and family, within the framework of preventing and addressing violence against children, measures related to the design of a communication plan and supporting materials/products are foreseen, to address the negative social norms related to all forms of violence/abuse against children, including the topic of early marriages.

The National Strategy for Gender Equality 2021-2030, approved by the DCM no. 400, dated 30.6.2021 in one of the strategic goals related to the reduction of all forms of harmful practices, gender-based violence and domestic violence, aims to empower women, young people and girls from all groups, to have full control, to decide freely and responsibly on issues related to sexual and reproductive health. Also, another measure has been provided regarding the strengthening of the capacities of professionals, the judiciary to implement the improved legal framework, to support girls at risk and to prevent early child marriages.

For the year 2023, from the reports of the Child Protection Units (CPU) in all municipalities, it results that the phenomenon of forced early marriages is not a widespread phenomenon. Child marriage has been softening and has recently become a very rare phenomenon. There are several cases of cohabitation of minor girls with peers or older people, which have been influenced by parental neglect, and traditional or community culture. In general, these cases belong to the Roma and Egyptian minorities due to their culture, traditional norms, poverty, etc. However, a very big change has been noticed in this community as recently many girls and boys are aware, attending school or professional training courses.

The CPU also cooperate with health care centers in order to promote the reporting of cases of domestic violence, or other incidents that can prevent the phenomenon of early marriages. In cooperation with education structures, the CPU identifies children who are not enrolled in school or who have dropped out of school and works with the family, to enroll and return them to school.

For the year 2022, no girl under the age of 18 has married in Albania. According to official data, 18,782 marriages were registered during the year 2022 and for the first time there is no marriage under the age of 18.

During the reporting period, awareness meetings were held with school students regarding sexual and reproductive health. During the year 2022/23, 40 doctors, part of the health staff, were trained in this matter.

The National Anti-Trafficking Coalition has often organized several information sessions and trainings for the legal education of beneficiaries. Most of the participants in the sessions were not aware of the changes in legislation dealing with the rights of victims of criminal offences, especially the rights of victims of trafficking.

The right to provide translation and interpretation is provided in DCM no. 499 "On the approval of the Standard Operating Procedures (SOP) for the protection of victims and potential victims of trafficking and the article in article no. 58/a of the Code of Criminal Procedure (CCP).

During the period 2019-2023, for nine children identified as unaccompanied foreign minors from Syria and one from Afghanistan are provided full protection measures, including cultural mediation and translation and interpretation services.

World Vision Albania (WVA) has contributed to the promotion of children's rights through the following interventions:

- Information, orientation, training of 1082 children and young people in 2023, through the Children and Adolescents program, which promotes active citizenship among children, increases their self-confidence and helps them contribute to the socio-economic life of the country.

- In 2024, more than 60 youth groups (with an average of 15-16 members/group) are part of the program implemented by WVA.
- In 2023 WVA trained 158 parents and guardians on positive parenting and creating a protective and healthy family environment for children. 160 children and young people have been part of joint family activities and sessions with their parents/guardians during the implementation of the program.
- Increased awareness of marginalized communities and localities in 17 communes in 2023 and 24 targeted in 2024 to prevent some phenomena such as human trafficking.

Through the Social Fund scheme and in partnership with the Municipality of Durrës, WVA has continued to support the strengthening of the services of the Center for Protection and Empowerment of the Family, as well as the Emergency Service for Children. Promoting a comprehensive service model, this center focuses on prevention, protection and response with specific services to children at risk of violence, abuse, neglect, exploitation and any other form of violence. In 2023, 183 children and adults received daily and residential services at the center established in Durrës. Support will continue to be available until 2024.

In cooperation with the Municipality of Korça, World Vision continues to support the provision of community services in the Children's City, a multifunctional center that contributes to the intellectual, social, scientific, physical, artistic and spiritual development of children. Empowering children and youth through these unique services is a powerful approach to educating them on how they can build resilient mechanisms to protect themselves and respond to phenomena such as human trafficking. During the year 2023, a total of 4045 children aged 3-18 have visited the center and participated in at least one of the activities offered there. The center's program is dedicated to strengthening the child protection mechanism and remains a unique service in this field, making the greatest contribution to the education, entertainment and protection of children.

WVA has undertaken coordinated actions with interest groups regarding preventive activities, aiming to create a protective environment for children, such as:

- Local awareness campaign in close cooperation with the main actors who fight human trafficking in Albania throughout the country
- Drafting of Local Action Plans in close cooperation with the Child Protection and Gender Equality Sector of the communes where WVA operates. Taking actions for early identification and reporting of sensitive issues closely related to the potential risk of trafficking. The local plan drawn up and implemented with the psycho-social school staff and the child protection unit in the Kamez Municipality in almost all the schools located in this administrative territory, for the monitoring of children and young people in order to prevent a widespread phenomenon of self-harm exposed on social networks and potentially at risk of trafficking in 2022-2023.

Advocacy directed by children and young people has enabled the participation of children and young people, especially the most vulnerable and those belonging to the most disadvantaged social groups, in the consultation process of important documents for the improvement of children's well-being in Albania, as in : National Strategies, National Agenda for Children's Rights 2021-2026, National Action Plans, Local Initiatives, consultative meetings for the recommendations of children and young people with the Institutions of the Commissioner for Protection from Discrimination and the Ombudsman for improving the mechanism for participation and the protection of children and young people. In addition, children and young people belonging to youth groups have been active participants in the National Council for the Rights and Protection of Children for more than four years. In this Council,

they have raised their voices about social inequalities and some issues that they and their peers face in everyday life. Establish and strengthen World Vision's Child and Adult Protection Policy and Accountability Mechanism to prevent harmful practices against children and create a protective environment wherever WVA has a programmatic presence.

- b. developing children's life skills (including media literacy and online safety skills), knowledge and participation;

The safety of children online is a new issue in Albania that has received increased attention in recent years. Article no. 23 of Law no. 18/2017 "On the Rights and Protection of Children" states that: "The child has the right to be protected against all forms of violence, including abuse, neglect, exploitation, trafficking, kidnapping, pornography, sexual abuse, as well as other forms of violence, regardless of where it is committed," which means that the law also provides for the protection of children from online abuse and exploitation.

Also, for the first time, we have a special article in this law (article no. 27) which talks about the protection of the child from accessing materials with harmful or illegal content on the Internet. An attempt has been made to define what "harmful content for the child" means, which includes all those pictures, images and any other material that circulates on the Internet and that violates the dignity and rights of the child.

The law imposes the obligation that all internet service centers, educational institutions, as well as any other public or private institution, which provides access to the Internet, apply technical instruments and other measures to protect children from accessing illegal content and/or harmful, according to the legislation in force.

The State Agency for the Protection of Children's Rights (SAPCR), when it finds that on computer or information networks, on websites or in environments where there are children, materials with harmful content for children are circulating, it asks the responsible authority to take measures to block access to these networks or sites. For the period January - November 2023, SAPCR has reported on the portal of the National Authority for Electronic Certification and Cyber Security (NAECCS), 59 pages with harmful and prohibited content for children.

The National Agenda for Children's Rights 2021–2026 aims to create an enabling environment for children's well-being through access to quality services, positive participation practices, good parenting, elimination of all forms of violence and development in the digital world.

The new National Cyber Security Strategy and its action plan 2020–2025 contain a chapter dedicated to children, which includes sub-objectives and activities dedicated to increasing the level of children's safety online. This is only the first step towards establishing effective enforcement of the law in relation to children. Above all, it is necessary to strengthen the capacities for the investigation and prosecution of crimes committed against children on the Internet. The strategy is monitored by the National Authority for Electronic Certification and Cyber Security (NAECCS) and its results are reported to the Inter-institutional Digitization Work Group.

In order to improve institutional cooperation, related to the daily challenges to keep children safe on the Internet, SAPCR has cooperated with institutions, schools, children, frontline workers, etc., in the realization of informative meetings and awareness about safe internet.



In cooperation with NAECCS, meetings were held with professionals, including the prosecution and the police regarding the punishment of cases of online abuse. 76 professionals participated in these meetings. Trainings and meetings have been organized to raise awareness about the dangers for children in the cyber environment. About 210 children and 70 professionals participated.

Illegal and/or harmful online content for children can now be reported in a new application that is powered by NAECCS, which is accessible to any professional, institution, child, parent, citizen. SAPCR is a user of this portal and ensures that every referred case is followed up by the relevant institutions to help every child, so that he feels protected and safe in the digital environment. <https://cesk.gov.al>

In harmony with the amended EU Directive 2018/1808, in May 2023, in Albania, important changes came into force, in law no. 97/2013 "On audiovisual media in the Republic of Albania", amended. These changes further strengthened the powers of the Audiovisual Media Authority (AMA), increasing its role in encouraging actors and broadcasters towards media literacy.

To enable Albanian citizens to access information and use, critically evaluate and create media content responsibly and safely, they need to possess advanced media literacy skills. Media literacy should not be limited to learning about tools and technologies, but should aim to equip citizens with the critical thinking skills required to exercise judgment, analyze complex realities, and distinguish between opinion and fact. Based on the need for both media service providers and video sharing platform providers, in cooperation with all relevant actors, to promote the development of media education in all layers of society, AMA, through the financing of projects from a partner civil society organization, has developed the following activities in support of media education during the year 2023:

- Organized social media advocacy campaigns and public debates on how to combat disinformation and conspiracy theories.
- A series of training programs have been offered to young journalists and journalism students on the skills and tools needed to understand and combat disinformation.
- Media organizations supported by the AMA have conducted monitoring studies on fake news, disinformation and conspiracies in the media during the pandemic and the role of media education.
- A number of books on fake news, disinformation, propaganda, etc. supported by the AMA have been translated and published, filling a previous gap in this field.
- Pamphlets have been published by the AMA on broadcast content that is developmentally appropriate for children.

Also, on July 10, 2023, the new Broadcasting Code was approved by AMA Decision no. 60, dated 10.07.2023. The Code contains 11 sections, compared to 8 sections of the previous Code, of which a part is specifically dedicated to the regulation of the transmitted image of the child in audiovisual media. Specifically, Section 4 of the Code (Children in Audio and Audiovisual Broadcasting – with subsections: Media serving the best interests of the child, Prohibition of identifying the child, Interviewing the child, Advertising and children, Cultural programmes, entertainment, educational programs, films and children, Warning signs for the protection of children in audio and audiovisual programs), regulates in detail the cases when a child is part of a broadcast audio or audiovisual content, or when this content is not suitable for physical, mental and moral development of the child. The section focusing on children was revised to update the Code with the highest standards of child protection, but also to address the protection of the best interests of the child in all types of broadcasting.

Regarding the children's participation, it is already a concrete reality, which is also included in the engagement of state institutions during the processes for drafting new laws and policies on children's rights issues. Children were consulted during the drafting of the Law "On the Rights and Protection of the Child" as well as the drafting of the National Agenda for the Rights of the Child.

Law no. 18/2017, "On the Rights and Protection of the Child", is based on the principle of child participation and defines it as a continuous process of active involvement of the child and respect for his right to express and be heard at all levels of decision-making on issues related to it. In some articles of this law, the right to participation is defined, such as:

- Article no. 12 of this law sanctions the child's freedom of expression. The child has the right to express freely, individually and collectively, his views and opinion on any matter that concerns him directly or his family or community, in accordance with his age and ability to understand.
- Article no. 13 guarantees the right of the child to be heard himself or through the parent, guardian, or representative not only in all administrative and judicial processes related to him, but also by the state authorities during the decision-making processes related to the drafting and the implementation of policies for children's rights and their protection
- Article no. 5, point 10, determines that the participation, listening and respect of the child's opinion must be done in accordance with his age and ability to understand

Listening to children and allowing them to contribute to these processes leads to better decisions, to policies that are actually, not just theoretically, in the interests of children. During the process of drawing up the monitoring report of the Agenda, part of the process was the consultation with the children regarding the implementation of the activities of the Agenda. During this process, about 120 children from the age group of 11-17 years of 9-year and secondary schools from different regions of Albania, such as: the municipality of Sarandë, Pukë, Kamëz, Tirana, Elbasan, were involved, in order to enable the children to get to know the best of the strategic document, but at the same time they contributed by giving their opinions on the current situation, their applicability and what needs to be done to realize children's rights in Albania.

In November 2023, the Ministry of Health and Social Protection and the State Agency for Protection of Children's Rights organized the next meeting of the National Council for Children's Rights and Protection for the presentation of the monitoring report of the National Agenda for Children's Rights 2021- 2026.

Children also participated in the Council, who expressed their evaluations and opinions on various aspects of life, based on the 4 main objectives related to the realization of children's rights. The expression of children's views on the realization of the National Agenda of Children's Rights 2021-2026 is the best contribution to the improvement of comprehensive policies for every child.

The Initiative for Social Change ARSIS (ARSIS) within this measure has been engaged in sensitization sessions with a focus on informing children about the factors that endanger minors in the face of the phenomenon of human trafficking in the most vulnerable groups, including the municipalities of Tirana, Kamze, Krujë, Elbasan, Durrës and Shkodër. The team of ARSIS, has highlighted the current situation of children deprived of basic rights, threatened, exploited and the work that can be done to help them. At the same time, in two community centers in the Municipality of Tirana and in cooperation with other public community centers in Tirana, it is engaged in the development of activities with children from the most vulnerable groups focused only on safety,

participation, mental health support, prevention of early marriages, awareness of the risks of exploitation and trafficking.

Regarding the children's awareness, during the year 2023, "Vatra" Psycho-Social Center produced the brochure "Trafficking and online exploitation of children" which was distributed in 1000 copies in the informational meetings held with young people in schools and school staff, with the aim of informing young people in schools regarding the risk of online trafficking and its prevention. The brochure is published on the Vatra website: [http://www.qendravatra.org.al/previewdoc.php?file\\_id=763](http://www.qendravatra.org.al/previewdoc.php?file_id=763)

WVA Albania informs that, during the reporting period:

- 1,600 children and young people have been reached through the awareness campaign for the Anti-trafficking month and November 20 International Children's Rights Day in the Municipality of Durrës.
- 1154 children and young people reached through the awareness campaign for Anti-trafficking month and November 20 International Children's Rights Day and Safe Internet Day in Shkodra Municipality.
- 180 children were reached through awareness-raising activities for child protection, organized in cooperation with 3 schools in Kurbin within the Community Sustainability Improvement project.
- 76,727 children, youth and adults have been reached through massive participation in activities organized for major days such as (November 20), Anti-Trafficking Month (every October), Safe Internet Day and orientations conducted on information on the mechanism of reporting cases for school staff, in Tirana and Kamëz municipalities.
- Several national campaigns of World Vision Albania have been organized, such as: 1Goal4Impact, Sport4All, SayitDigital, ITAW. It takes a world to end violence against children and recently the No Hunger campaign has contributed to the empowerment of children and young people and strengthened the voice of children for their rights.

c. putting in place a system for monitoring and reporting cases of abuse;

The obligation to report cases of children in need of protection, including those at risk, is mandatory for all employees who work with children, regardless of the legal provisions, which are for some categories in other legal acts. The provision in law no. 18/2017 of the obligation to report provide details of where employees who work with children should report, including, in addition to hierarchical institutional structures, also reporting to child protection structures.

According to article no. 67 of Law 18/2017 "Obligation to report", every employee of public and private institutions who comes into contact with children due to their profession and has a suspicion that a child is being abused, neglected, mistreated or is at risk for something like that, should immediately notify the State Police bodies or local child protection structures. Teachers and school psycho-social service providers have the duty to report any suspected or actual case of child abuse, neglect or exploitation to local educational units or child protection structures. The local educational unit, in any case, when it becomes aware of children in need of protection, reports to the child protection structures. Employees of health or child care institutions, public or private, have the duty to immediately report to the director of the institution, State Police bodies, child protection structures any suspected or actual case of abuse, mistreatment, abandonment, neglect or violence in children.

In the Decision of the Council of Ministers no. 578, dated 3.10.2018 "On referral procedures and case management, the design and content of the individual protection plan, the financing of expenses for its

implementation, as well as the implementation of protection measures" is defined in Article no. 12 "Monitoring of the Child Protection Officer (CPO) for the implementation of the Individual Protection Plan"

1. The head of the CPU is responsible for monitoring the work of the CPO, in relation to the implementation of the Individual Protection Plan (IPP), including the CPO at the CPU or the CPO at the administrative unit.
2. The head of the CPU, supported by the CPO responsible for the progress of the IPP, carries out monitoring visits to verify the situation of the child and his family, in order to verify the progress in the implementation of the IPP.

After the adoption of Law no. 18/2017 "On the rights and protection of children", the Child Protection System and related structures cover the entire territory of the country by establishing structures in each local unit, with child protection officers, as well as operationalized the Inter-Sectoral Technical Group (ISTG) at the municipality level. The Inter-Sectoral Technical Group has the authority to deal with the case management of children at high risk of abuse and at possible risk of trafficking.

Regarding the reporting of cases, the State Inspectorate of Labor and Social Services (SILSS) has set up a system for reporting complaints (info @sli.gov.al), which is available on the SILSS website.

In addition, the Children's Hotline-State Agency for the Rights and Protection of the Child offers a toll-free hotline with a widely publicized number, which is obliged to verify and refer to protection units.

ALO 116 - 111 National Children's Line in Albania, operates 24 hours a day, 7 days a week and every day of the year.

The National Hotline for victims of trafficking in Albania - 116 006 is operational 24 hours a day, 7 days a week and every day of the year.

No. 112 or 129 of the State Police is available for any emergency.

- d. providing training to child care professionals, legal guardians, education professionals;

In 2023, SAPCR has conducted trainings with about 80 new CPO on duty in 17 municipalities. Meetings were held at local level regarding the identification and reporting of cases of violated, abused, economically exploited, trafficked and neglected children with professionals in the field of health, education, police, child protection workers. In total, 80 professionals participated.

During the reporting period, SAPCR has organized trainings and coordination meetings in order to prevent criminality and manage cases of children in conflict with the law, where about 350 professionals and 220 security officers have participated.

The State Agency for Protection of Children Rights in cooperation with the Responsible Authority, in the first half of 2023, held meetings in the municipalities of Kukës, Dibër and Shkodër with the employees of the Child Protection Units as well as with local actors representing the Intersectoral Technical Group. The purpose of the meetings was to closely discuss and promote cooperation at the local level with child protection workers, traffic specialists and other local actors, who are part of the Intersectoral Technical Group on the progress of the management of cases of children VoT/PVoT and addressing the problems encountered in this direction.

During the implementation period of the National Action Plan for the Fight against Human Trafficking 2021-2023, 335 employees of public institutions in the municipalities of Tirana, Elbasan, Vlorë, Kukës, Shkodër, Malësi e Madhe, Vau i Dejës were trained by the organization Key Adviser. Mat, Klos, Bulqize and Dibër. Specifically, these employees have participated in trainings on the topics: "Building soft skills and life skills for the social and economic integration of potential victims of trafficking, victims of trafficking and persons at risk", "Standard operating procedures for referral, treatment and psycho-social support for victims of trafficking and potential victims of trafficking".

Also, work has been done on the training of employees of pre-university educational institutions related to the topics of trafficking. In addition to the increase in the number of psycho-social service workers in schools, the quality of the service has also increased through training provided by the Quality Assurance Agency for Pre-University Education (ASCAP). School psycho-social service employees were trained by ASCAP on safety, protection, identification and referral of cases at risk of trafficking, and information/awareness sessions were held with school staff. Also, trainings were held with the teachers of the civic education subject.

During January-February-March 2023, the ARSIS Initiative, in cooperation with the State Agency for Protection of Children's Rights, financially supported by the Embassy of the United States of America, in Albania, conducted trainings with 75 security professionals in the areas of Tirana, Kamza, Kavaja, Rrogozhina, Fieri, Berati, Lushnja, Tepelena, Përmet, Gjirokastra, Saranda, Libohova, Kelcyra, Shkodra, Lezha, Malësia e Madhe, Fushë Arrëz, Puka and Kurbin. The aim of the training was: Developing the capacities of national, regional and local authorities to identify and support children at risk of violence, abuse, neglect and exploitation, including gender equality objectives and familiarization with intervention procedures that include case management, identification/referral, initial assessment, full assessment, drafting of the individual protection plan, plan implementation and case monitoring for the most vulnerable categories at risk of trafficking, including children in conflict with the law, unaccompanied foreign children in Albania, etc.

- e. access to education and health care for vulnerable children, including from minority groups, unaccompanied migrant children, and children of migrant workers;

Article no.18 of the law no. 18/2017 "On the rights and protection of the child" provides:

"1. The child has the right to access and attend free and quality education, based on equal opportunities and non-discrimination, in accordance with the child's age and maturity.

3. The ministry responsible for pre-university education, as the responsible public authority, as well as local educational units take concrete measures for:

f) undertaking concrete actions to guarantee the right to education of children who belong to a group or regions with significant educational gaps, or who face situations of vulnerability due to a difficult socio-economic situation or special physical or mental condition, or because of aspects related to gender, religious beliefs or cultural practices, or being part of a cultural or ethnic group, or coming from a migration situation."

Article no. 21 of the law no. 18/2017 "On the rights and protection of the child" provides:

"1. The child is guaranteed the right to free health care of the highest attainable standard and the right to facilities for treatment of illness and rehabilitation of health. This right cannot be limited regardless of whether the child is registered in civil status office and whether the child's parents have paid taxes."

The Ministry of Education and Sports (MES) provides support to victims/potential victims of trafficking for enrollment in full-time or part-time education and the provision of free textbooks. For

the education of children/students with foreign citizenship, including citizens of the European Union, the relevant legislation is complete and ensures their education without discrimination.

Instruction no. 10, dated 17.05.2021, "On registration and support in public pre-university educational institutions of children of persons in a migration/asylum situation, refugees, unaccompanied foreign children, children returned from emigration, from conflict zones or child victims of trafficking in the Republic of Albania" eases the admission and education follow-up procedures for all the categories included in it.

For students with foreign nationality, public educational institutions ensure the equivalence of school documents of incoming students, assessment of knowledge in case of lack of school documentation, treatment with an individual education plan, free learning of the Albanian language and their registration in pre-university education in every period of the year.

For children with foreign nationality registered at school, the public educational institution draws up an action plan, where the main activities are: special psycho-social treatment by the school psychologist; differentiated work by each teacher to adapt the subject to the level of the Albanian language he owns.; extra hours for learning the Albanian language with the Albanian language teacher at school; their involvement in school activities that help in learning the Albanian language and their integration

In the framework of prevention, informational and educational activities are carried out in pre-university educational institutions, regarding the phenomenon of trafficking, its negative effects, methods of prevention and reporting, the importance of safe use of the Internet by students. In this regard, every school year information and awareness meetings are held with students to raise awareness about the concept of trafficking, the types of human trafficking, the reasons why trafficking occurs, the legal prohibition of human trafficking, etc.

Activities have been organized with parents, such as: individual and group meetings with parents of children with behavior and discipline problems; involving parents in intervention plans for students with behavioral problems; knowledge of the elements of the criminal code for minors and criminal liability. On the part of the psycho-social service in schools, seminars and activities were held with students in order to increase their level of knowledge about trafficking issues.

Also, the identification of violent behavior, informing children about the phenomenon of trafficking, identification of possible victims of trafficking, familiarization with the institutions of protection against violence and trafficking in our country, the realization of the social map of the school has been the focus of the work of the employees of the psycho-social services in schools. Collaborators in these activities were: the coordinator teachers of the senate, representatives from the police department, representatives from the public health department, representatives from various NGOs, as well as security officers in educational institutions. As part of the Anti-trafficking month, various activities are carried out with pre-university educational institution students in cooperation with state institutions and various organizations.

Regarding the legal framework for victims of trafficking within the area of responsibility of MES is based on the instruction no. 10, dated 17.5.2021, "On registration and support in public pre-university educational institutions of children of persons in a migration/asylum situation, refugees, unaccompanied foreign children, children returning from emigration, from conflict areas or children victims of trafficking in the Republic of Albania". This instruction has defined in chapter IV on how the education of children, victims of trafficking is carried out and, specifically, as follows:

1. Children, victims of trafficking at the compulsory school age (6-16 years old), are provided with the conditions for attending pre-university education. The Local Office of Pre-University Education in cooperation with the Child Protection Unit, based on the available documentation, determine the public pre-university educational institutions where they will be registered.

2. Children, victims of trafficking, who do not prove with an official document the completion or continuation of a class, are tested for the level of knowledge with a test by an interdisciplinary committee composed of teachers and a psychosocial service worker, which is established in the pre-university educational institution, determined by the Local Office of Pre-University Education. The committee evaluates and assigns the class to which the student belongs to be registered.

3. The employee of the psychosocial service at the public pre-university educational institution draws up a special work plan for the support, treatment and school integration of child victims of trafficking.

4. The public pre-university educational institution provides textbooks for child victims of trafficking attending pre-university education.

Decision no. 903, dated 21.12.2016, of the Council of Ministers "On determining the criteria for benefiting from scholarships from the student support fund for excellent students, students studying in study programs in priority areas and students in need" as amended, in point 5, letter f, provides that: "students who have been identified as victims of human trafficking and have obtained the legal status for treatment as victims of human trafficking, up to the age of 25", are considered students in need.

In implementation of the decisions no. 486, dated 17.6.2020 "On the printing, publishing, distribution and sale of textbooks of the pre-university education system" as amended and no. 666, dated 10.10.2019 "On financial quotas for food in canteens and dormitories and the determination of criteria for the benefit of scholarships and payments for students of pre-university education, as well as other forms of care for special categories in public pre-university educational institutions" , as amended, student victims/potential victims of trafficking benefit from free textbooks and scholarships in pre-university education.

In terms of access to health care, the ARSIS Initiative has played a crucial role in providing needed health care services to unaccompanied minors, especially in emergency situations. Between 2022 and 2023, Albania witnessed 42 cases of unaccompanied minors using the country as a transit point. Despite the challenges, efforts have been made to address their health care needs, often under emergency circumstances.

f. birth registration for all children born in the country.

Article no. 8 of Law no. 18/2017 "On the rights and protection of the child" provides:

"1. In accordance with the legislation in force, the child has the right: a) to be registered immediately after birth, without any fee. This is a right also for children born outside the territory of the Republic of Albania, at the request of the parent or legal guardian, according to the rules defined in the legislation in force."

Based on the National Register of Civil Status, for the period 2019-2023 the following births were registered:

<b>Year</b>	<b>Births</b>
2019	28.790

2020	27.403
2021	27.405
2022	24.883
2023	23.754
Total	132.235

However, there are some challenges regarding the registration of individuals in civil status office. From practical experience, the ARSIS Initiative Team has identified several key issues:

- Difficulty in registering individuals born abroad in the Albanian national registry, especially when they do not have a fixed residential address in their country of birth. This obstacle arises due to the mandatory online application measures implemented by e-albania and civil status offices. Despite having all the necessary birth documentation, failure to provide a fixed address in the place of birth makes registration impossible.

### **3. What measures are taken in your country to address vulnerabilities related to the gender dimension of human trafficking?**

The Albanian legislation, in the case of a particularly vulnerable victim, provides for a higher sentence when the victim is female. Thus, Article no. 110/a, paragraph 2 of the Criminal Code provides: "When such an offense is committed against an adult female person, it is punishable by imprisonment from ten to fifteen years."

Also, the National Action Plans for the Fight against Human Trafficking 2018-2020 and 2021-2023 foresee concrete measures and activities for children, women and girls, groups from the Roma and Egyptian communities, etc., with the aim of their protection, support for employment, counseling, professional training, etc.

Programs that aim to promote the employment of workers in a country also take into consideration the gender dimension, aiming at the empowerment and employment of women. They also consider persons with disabilities and other vulnerable categories according to Law no. 15/2019 "On the promotion of employment", as amended. These programs aim at employment and self-employment through participation in employment promotion programs and on-the-job training and professional internships.

The main programs are defined in by-laws, such as:

- Decision of the Council of Ministers no. 17, dated 15.1.2020, "On the procedures, criteria and rules for the implementation of employment promotion programs through employment, job training and professional practices", amended
- Decision of the Council of Ministers no. 348, dated 29.4.2020, "On the procedures, criteria and rules of implementation of the incentive program through self-employment", amended;
- Decision of the Council of Ministers no. 646, dated 05.10.2022 "On the procedures, criteria and rules for implementing professional training programs through financial support provided, according to competition procedures, for professional training courses organized by formal, public or private professional institutions".

In the selection of subjects for inspection, the State Inspectorate of Labor and Social Services (SILSS) operates on the basis of a risk analysis, where risk indicators are also the sectors or subjects where



minors, women and foreigners are employed. SILSS carries out awareness campaigns for the implementation of employees' rights, with a focus on women, children and persons with disabilities, who enjoy special protection in labor legislation. The labor inspector informs and advises subjects on the implementation of labor legislation, for all employees without discrimination. Furthermore, a cooperation agreement has been concluded between SILSS and the Commissioner for Protection from Discrimination to fight discrimination in the workplace.

Since 2019, UNICEF Albania, with funding from the Government of the United Kingdom under the Modern Slavery Fund, in cooperation with the Ministry of Interior, has been implementing the program "Transforming the National Response to Human Trafficking in and from Albania" in close cooperation with its implementing partners. Since its inception, the Program has aimed to improve the realization of human rights of the most vulnerable population groups in Albania, in accordance with the principle of non-discrimination. All activities are carried out with a view to ensuring the best interests of the child, non-discrimination and gender sensitivity, as well as the participation of children in every decision-making process. It is notable that gender sensitivity has been integrated into the planned activities and interventions, with the aim of promoting gender equality and empowering women and girls who are beneficiaries of the Program.

**4. What specific measures are taken to reduce the vulnerability to trafficking of persons from disadvantaged minorities? Please provide information on policies and measures in the following areas:**

- a. research;

Another important contribution of the program "Transforming the National Response to Human Trafficking in and from Albania" is the publication of research studies on different HT topics, that enhance the research agenda in the country and beyond. A good source of information on the programme results can be found at: <https://endhumantrafficking.al/>

Research publications undertaken by the programme are listed as follows:

- 1- First Wave Survey Study on Youth Knowledge, Attitudes and Practices with Regard to Human Trafficking, in Four Regions in Albania: <https://www.unicef.org/albania/documents/first-wave-survey-study-youth-knowledge-attitudes-and-practices-regard-human-trafficking>
- 2- 'Trafficked by someone I know' - A qualitative study of the relationships between trafficking victims and human traffickers in Albania: <https://www.unicef.org/albania/reports/trafficked-someone-i-know>
- 3- 'Economic reintegration of trafficking survivors in Albania': <https://www.unicef.org/albania/reports/economic-reintegration-trafficking-survivors-albania>
- 4- 'Survey on youth knowledge, attitudes & practices regarding human trafficking in 4 regions of Albania' - Second Wave, Survey on youth knowledge, attitudes & practices regarding human trafficking in 4 regions of Albania: <https://www.unicef.org/albania/reports/survey-youth-knowledge-attitudes-practices-regarding-human-trafficking-4-regions-albania>
- 5- '2022 Human Trafficking Evaluation' - Evaluation of the Programme on Transforming the National Response to Human Trafficking in and from Albania, 2019–2022 Main report and Annexes to the Report: <https://www.unicef.org/albania/reports/2022-human-trafficking-evaluation>

In May 2022, World Vision Albania launched for the first time in Albania the study "Empowered Women, Empowered Children" which analyzes the relationship that exists between the empowerment of the mother and the empowerment/improvement of the child's life. The study aims to support with data the link between women's empowerment and child well-being. The data of this study give the picture only for 8 areas of Albania (Dibra, Durrës, Korça, Kurbin, Lezha, Librazhd, Shkodra, Tirana) and are not exhaustive for all the dimensions of the mother-child binomial. The study serves as a basis for well-informed interventions in this sector

<https://www.wvi.org/publications/report/albania/empowered-women-empowered-children>

b. information, awareness-raising and education campaigns;

The program "Transforming the National Response to Human Trafficking in and from Albania", has regularly addressed the principles of protection, prosecution and prevention for victims and potential victims of trafficking in all its main components, while developing and delivering a strategic communication campaign at the national, regional, local and community level that has resulted in reaching approximately 2.3 million online responses and applications, as well as 17,500 individuals face-to-face.

In implementation of the Program, 4 Mobile Units (Kukës, Shkodër, Dibër and Tirana) have been set up and are operating. 8 Mobile Units in Vlora, Durrës, Berat, Elbasan, Gramsh, Librazhd, Pogradec, Korça are supported by the program of small grants funded by the US Embassy. Also "Vatra" with the support of IRC Serbia has created another Mobile Unit in Shengjin/Lezha to work with Afghan migrants. This Unit inform them through information sessions with women, girls, men and boys regarding the issue of human trafficking and also worked on identifying potential victims of human trafficking among migrants.

In all the municipalities where the Mobile Units (MU) operate, in addition to the identification of VoT/PVoT, information sessions are also organized with the community, with young people in secondary and 9-year-old schools, as well as focus groups with representatives of health, education, employees of child protection, social services in the municipality and state social services. Primarily, MU worked in areas known for their population from the Roma and Egyptian communities.

During the period January-December 2022, the Mobile Units in Shkodra and Tirana contacted 64 institutions and individuals, representatives of the institutions. The purpose of contacts with institutions and individuals was to obtain information on cases vulnerable to trafficking and to present the activities of the MU. Also, in these field meetings, was presented the service that D&E offers to victims of trafficking. Contacts have been developed with individuals who have knowledge in the area, with social administrators and nurses of the respective areas, school psychologists and child protection officers.

During this period, families referred by community liaisons were met in different areas of the two counties. Also, family visits were made, information was collected and observations were made on the situation of families and the need for protection/services. A total of 92 adults and minors were contacted. Field work has included certain areas, identified by MU of Tirana and Shkodra as areas where there are problems of children in street situations, begging, etc.

c. socio-economic initiatives targeting underlying and structural causes;

The Ministry of Health and Social Protection, through the Social Fund, has provided financial support to municipalities, emergency centers and multifunctional community centers. Since 2019, the Social Fund has supported 54 social services for all social groups, including the Roma and Egyptian communities.

National Action Plan for Equality, Inclusion and Participation of Roma and Egyptians approved by DCM No. 701, dated 18.12.2021, contains specific Objective 3. Capacity building for the identification of Roma and Egyptians at risk of trafficking/exploitation as well as the referral, protection and reintegration of trafficked/exploited cases has been handled by multidisciplinary teams at the local level. This plan sets priorities in areas such as access to justice, education and culture, employment, housing, social protection and anti-gypsyism, respecting the principles of equality and non-discrimination. In April 2022, the Fifth Albania-EU Political Dialogue Seminar was organized, with the aim of implementing and promoting measures for the inclusion of Roma and Egyptians. The recommendations of the Fifth Albania-EU Dialogue Seminar will be followed up for all areas, including Education and Anti-Gypsyism, Employment and Vocational Training, Access to Health and Social Protection; Social housing; Civil registration as well as returnees and immigrants in cooperation with responsible institutions and civil society.

There are positive models of local action plans dedicated to the Roma/Egyptian community, with the support of CE, adopted by municipal councils that address the social inclusion of Roma. Roma and Egyptian families are beneficiaries of the economic assistance scheme (2700 Roma and Egyptian families). For these families, the approach of integrated social services and employment and vocational training is the exit from economic assistance, vocational training, employment and mentoring to integrate into the labor market.

On 15.02.2023, Joint Order no. 85, of the Minister of Health and Social Protection and the Minister of Finance and Economy "On the referral mechanism for employment and social integration of individuals of active working age", was adopted. Based on this order, the State Social Service (SSS) refers for employment in the system of the National Employment and Skills Agency (NESA), members who are part of the Economic Assistance system, which also includes victims of trafficking. 10 cases have been referred which are part of the Economic Assistance system aimed at employment and social inclusion to integrate into the community.

The ARSIS initiative provides the full package of services within the case management process, including but not limited to direct support with food and hygiene packages, rent, employment, administrative support, specialized services, mentoring and case follow-up in support of child protection officers. More than 100 children and their families have been supported during 2023. It is also part of the consultation processes for the drafting of various policies, reports and research.

d. education, vocational training and job placement programmes.

Victims and potential victims from the Roma and Egyptian Community have been exploited mainly for sexual purposes and begging. Every year, the Ministry of Interior, in cooperation with anti-trafficking actors, organizes information, awareness and education sessions. This is a process carried out throughout the year, but it is most visible during the month of October as anti-trafficking month and July as well. The danger and vulnerability of children from the Roma and Egyptian community is brought to the attention of the community.

Some of the reintegration services offered to minors such as VoT/PVoT, provided by state structures in cooperation with civil society organizations, are: school attendance, enrollment in professional training courses or employment programs. Special focus is offered to the minority group.

In September 2022, UNICEF Albania published a qualitative study of survivors' experiences in accessing and frontline professionals in providing support for economic reintegration. The report is available at the following link: <https://www.unicef.org/albania/reports/economic-reintegration-trafficking-survivors-albania>

With Decision no. 173, dated 24.3.2023, of the Council of Ministers, the National Employment and Skills Strategy 2023-2030, the action plan for its implementation, as well as the youth guarantee implementation plan 2023-2024 were approved. The objectives and measures of the strategy are directly related to SDG 8 "Promotion of sustainable, inclusive and sustainable economic growth, full and productive employment and decent work for all" and especially to the fulfillment of the specific goals of SDG 8, such as: 8.5 (decent employment), 8.3 (productivity), 8.2 (innovation), 8.6 (youth employment) and 8.8 (rights at work). But at the same time, the implementation of the strategy is naturally related to the achievement of other important objectives for Albania within the 2030 Agenda as SDG1 (poverty), SDG2 (food), SDG 4 (education), SDG 5 (gender equality), SDG 9 (industry, innovation and infrastructure) and SDG 10 (reduction of inequality).

**5. What specific measures are taken to reduce the vulnerability to THB of persons with disabilities? Please provide information in the following areas:**

- a. deinstitutionalisation, including community and family-based services for children and support for independent living;

The Ministry of Health and Social Protection, within the framework of the National Deinstitutionalization Plan 2020-2023 and the new Social Protection Strategy 2024-2030, which includes the specific objective of deinstitutionalization, is moving towards the process of deinstitutionalization including persons with disabilities in institutions residential for social care.

A comprehensive plan has been drawn up to replace institutions with community-based services, ensuring that no deinstitutionalized disabled person is left without the necessary protection, with the active involvement of disabled people.

- The Social Fund mechanism has introduced services for home help, psychosocial support and integrated social services.
- Service standards for the new specialized mobility and independent living service for Persons with Disabilities have been approved in 2022.
- 28 community day care services are offered (11 public and 17 non-public services), which benefit 16,105 children with disabilities
- For the first time, 6 specialized mobility services were provided for children with disabilities in 6 municipalities, for more than 600 beneficiaries and their families.

In implementation of the DCM no. 706, dated 9.9.2020, "For the approval of the national deinstitutionalization plan, 2020-2022, and the action plan for its implementation", new support services for children and families have been created with a focus on preventing the separation of children from their families as well as family support for reunification with children. The services have been set up in the municipalities of Korça and Vlora and are being piloted in Tirana and Durrës, near the community centers. The standards of semi-independent living services for persons/youth over 14 without parental care have been drawn up.

The ARSIS Initiative with the support of UNICEF Albania is engaged in supporting the Ministry of Health and Social Protection in advancing the deinstitutionalization process, especially in piloting the first models of transformation of residential care institutions into community services such as the child support center model and the family, the model of professional care and the reunification of the child with the biological family.

World Vision Albania has contributed to community and family services for children, youth with disabilities and their families to support independent living specifically through some important interventions and projects as follows:

- The "Community Center for Disability Services" project in Prrenjas, an EU-funded project supports 180 children with disabilities and their families through integrated services provided in the community center built in Prrenjas, combined with mobile services provided at home. The community center was built on the premises of the hospital in Prrenjas.
- "KIA Green Light Project", financed by Kia Motors and World Vision Korea and implemented by WVA in the area of Librazhdi. As part of the project, a new multifunctional center is being built in Librazhd Municipality, which is expected to be inaugurated in the spring. The center will support 62 children and youth with disabilities with health and psychosocial services. Parents and guardians will also be trained on the stages of child development and how to engage in developmental activities with their children in everyday life.

Another project that has recently started to be implemented in the administrative territory of Durrës and Elbasan: "Improving the health status of children in the district of Durrës and Elbasan". This project aims to provide health services to 80 children with health problems from families in need, according to identified needs. At the same time, the project aims to increase the understanding and knowledge of 50 parents and guardians of children on the importance of health care for children.

22 teenagers aged 12+ and their parents/guardians have benefited from the "Hello Teen" project through the assessment carried out on the AFLS (The Assessment of Functional Living Skills) methodology, a guide to the skills that are essential for independence.

b. monitoring institutions and foster families accommodating persons with disabilities;

In 2010, the Custody Implementation Standards Framework came into force, and in 2018, the Decision of the Council of Ministers, was approved for the criteria, documentation and registration procedures of the foster family for children without parental care and the financing measure for the expenses of children placed in foster families.

The needs assessment and case referral unit or the social care services structure, for those municipalities that do not have a case assessment and referral unit, continuously monitors the family and the child placed in foster care, through monitoring visits at home or during normal family activity. Follow-up visits are made every 2 weeks for the first 3 months for the family and the child placed in foster care and monthly thereafter. The results of each visit are documented and included in the relevant child file.

Furthermore, the regional directorates of the State Social Service monitor every 3 months the work processes of the social worker of the local government unit and monitor the children placed in foster care. The inspectorate responsible for social services inspects the foster family and the child twice a year, to ensure compliance with the standards of the foster care service, as well as to ensure the well-being of the child, according to the procedures for implementing the standards determined by the instruction of the minister responsible for the issues social.

The monitoring by the regional directorates of the State Social Service and inspection by the inspectorate responsible for social services are coordinated and carried out on family monitoring days by the social care services structure of the municipality or the needs assessment and case referral unit of the administrative unit.

In order to adopt an appropriate financial support for foster families, in 2023 the legal and financial analysis of the regulatory framework was drawn up, aiming to increase the interest of persons, other than close family members, to become guardians.

- c. procedure for the selection and appointment of legal guardians and monitoring of their work;
- d. access to adequate accommodation, education and work;
- e. access to information and reporting/complaints mechanisms which are accessible to persons with disabilities.

With the law no. 108/2012, Albania has also ratified the UN Convention "On the Rights of Persons with Disabilities" undertaking the promotion, protection and guarantee that all persons with disabilities fully and equally enjoy all fundamental human rights and freedoms, as well as promoting respect for their inherent dignity.

In Article no. 16 of this Convention, entitled "Freedom from exploitation, violence and abuse", it is provided that: "1. States Parties shall take all appropriate legislative, administrative, social, educational and other measures to protect persons with disabilities, both within and outside the home, from all forms of exploitation, violence and abuse, including their gender-based aspects. (...) 5. States Parties shall put in place effective legislation and policies, including women- and child-focused legislation and policies, to ensure that instances of exploitation, violence and abuse against persons with disabilities are identified, investigated and, where appropriate, prosecuted."

In Albania, kinship care is more developed in relation to the services of foster families. Residential institutions for persons with disabilities have not yet been included in the evaluation process within the framework of deinstitutionalization.

**6. How do you ensure in practice that an assessment of the vulnerability and special needs of asylum seekers is carried out at an early stage? What procedures are followed when vulnerability to THB is detected? Please provide information on policies and measures in the following areas:**

- a. provision of comprehensive and accessible information, in a range of relevant languages, on the rights of asylum seekers, indicators of THB, rights of victims of THB, and contacts of relevant organisations;

The authority responsible for asylum and refugees, as well as any other state authority, in accordance with the provisions made in the law 10/2021 dated 01.02.2021 "On Asylum in the Republic of Albania", pay special attention, treatment and care to persons who belong to a special category. The special needs of these persons are determined based on the individual assessment of each asylum seeker. Through special procedures and guarantees of admission, applicants receive appropriate support based on their personal circumstances, such as: age, gender, sexual orientation, gender identity, disability, serious illness, mental disorder, or as a result of torture, rape or other serious forms of psychological, physical or sexual violence, in order to exercise the rights and obligations defined in this law. The procedure of recognizing the personal circumstances of the applicants is carried out continuously by the employees of the authority responsible for asylum and refugees, specially trained, from the moment of expressing the intention to seek international protection until the final decision is taken.

For asylum seekers, information is provided through brochures distributed by UNHCR at border crossing points and at the Asylum Reception Center (ARC) in English and Arabic, acquainting them

with their rights and obligations.

Based on the DCM no. 499 "On the adoption of Standard Operating Procedures and the protection of victims and potential victims of trafficking" and in article no. 58/2c of the PPC, victims and potential victims of trafficking have the right to translation services and interpreters.

The "Vatra" psycho-social center within the project "Against human trafficking and gender-based violence among Afghan asylum seekers in Albania", financed by the International Rescue Committee, has informed 555 beneficiaries (257 men, 252 women, 38 boys and 9 girls) who participated in organized information sessions, focus groups and were evaluated and received direct assistance during individual meetings/assessment.

11 informative sessions and 6 focus groups were held with the participation of 274 people (153 women, 107 men and 14 children). The sessions were conducted by "Vatra" center specialists, members of the Mobile Units and field coordinators. The participants were informed about the issue of human trafficking, specifically on the concepts and forms of trafficking, risk indicators, techniques to protect themselves in case they move to different countries, advice on protection from all forms of online trafficking.

The project focused on Shengjin and the Durres area (Golem and Durres) among the groups of Afghan asylum seekers located in these areas. The aim of the project was to increase the identification and protection of vulnerable migrants among the large group of migrants who settled in the county of Durres and Lezha, as well as other migrants who lived in a vulnerable and dangerous situation outside these areas, being in risk of trafficking and exploitation. Also, the project aimed to increase the awareness of the population regarding the prevention of human trafficking and gender-based violence, through the provision of informative sessions, focus groups, individual meetings, production and distribution of information leaflets. The "Vatra" Center has produced 1,000 information leaflets on trafficking in Pashto and Dari languages. [http://www.qendravatra.org.al/previewdoc.php?file\\_id=761](http://www.qendravatra.org.al/previewdoc.php?file_id=761)

Referred to unaccompanied foreign minors, categorized as VoT/PVoT, the SOPs for victims of trafficking are applied and they have benefited from anti-trafficking programs in the centers.

During the period 2019-2023, 2 cases of minors from Syria and Afghanistan were assisted in the center. They benefited from full accommodation services, psycho-social support, educational service and contact with the family of origin. For the two unaccompanied minors, the procedure was followed in accordance with law no. 18/2017 "On the rights and protection of the child". The commissariat/local directorate for Border and Migration did the registration of the citizens and then passed the case to the road traffic sector by order of the police, who cooperated with the child protection unit of the respective municipalities, who did the risk assessment of cases.

In April 2023, the "Tjeter Vizion" organization, within the membership at the national platform for the prevention of smuggling and the protection of smuggled migrants, coordinated by the Albanian Committee of Helsinki, has drawn up a monitoring report that contributes to the completion of the final mission of advocacy in national and regional level for the creation and improvement of work practices related to the protection of the rights of illegal migrants. One of the initiatives of this national platform was the monitoring in the areas near the border crossing points, where cases of smuggling have been identified, as well as the organization of meetings with officials/specialists of the border points and the Directorate of Migration.

b. access to legal assistance and representation;

Article no. 22 of law no. 10/2021 "On Asylum in the Republic of Albania" provides:

1. Applicant for international protection shall be guaranteed legal assistance and information regarding



the eligibility criteria for international protection and relevant procedures, as well as the right to free legal aid in accordance with the relevant legislation in force.

2. The applicant shall have the right to contact the persons who provide legal advice and UNHCR representatives at any stage of the procedure.

Article no. 58 “Legal Aid Guaranteed by the State”

1. Applicants shall be provided free legal aid guaranteed by the state in relation to:

- a) information about their rights and obligations;
- b) assistance in preparing appeals against decisions taken during the application examination procedure;
- c) drafting of documents and being represented in the administrative procedure before the authority responsible for asylum and refugees and before a court of law for the purposes of appealing decisions taken during the examination of their application.

2. Legal aid shall be provided to applicants who do not have sufficient financial means to cover the respective costs.

3. Pursuant to paragraph 1 of this Article, the legal aid may be provided by legal aid service providers, as defined in the Law on Legal Aid guaranteed by the State.

During 2023, the "Vatra" Center assisted and supported with legal assistance and reintegration services, a woman from Syria, identified as a potential victim of trafficking. The beneficiary was assisted in the asylum application process, by the "Vatra" center in cooperation with the Regional Border and Migration Directorate, Durrës. As a result, the beneficiary and her 2 children were granted residence permits as asylum seekers.

- c. access to decent accommodation, health (including psychological) care, work and education.

Article no. 3, paragraph 25 of the law “On Asylum in RA” defines: “Persons belonging to a special category” means minors, unaccompanied minors, persons with disabilities, elderly persons, pregnant women, single parents with minor children, victims of trafficking in human beings, victims of genital mutilation, LGBTI persons, persons with serious health conditions, persons with mental health problems/disorders, or persons who have been subjected to torture, rape or some other form of psychological, physical or sexual violence.

Applicants belonging to the special category benefit from different treatment in accordance with their specific needs for accommodation, provision of special admission conditions, the necessary medical treatment according to the specific needs and consequences caused, education, as well as the necessary psychological counseling -social. Specifically:

- Article 50 of the law no. 10/2021 "On Asylum" provides the services offered to persons belonging to a special category.

1. The authority responsible for asylum and refugees as well as any other state authority, in accordance with the provisions of this Law, shall afford special attention, treatment and care to persons belonging to the special category.

2. The special needs of such persons shall be defined on the basis of an individual assessment of each applicant, refugee, person with subsidiary protection status, or person with temporary protection status, pursuant to this Law.



3. Applicants, refugees, persons with subsidiary protection status or persons with temporary protection status belonging to the special category shall be afforded different treatment in accordance with their specific accommodation needs, and provided with special reception conditions, the necessary medical treatment and psycho-social counselling.

4. Applicants, refugees, persons with subsidiary protection or persons under temporary protection, who have been subjected to torture, rape or other serious acts of violence, shall receive full and suitable treatment for the damage caused to them by such acts; they shall, in particular, have the possibility to receive suitable medical and psychological treatment and care.

5. Persons working with victims of torture, rape, or other serious acts of violence, must have or receive the appropriate training in relation to their needs and comply with the rules of confidentiality regarding the information received in the course of the performance of their duties

- Article no. 59 “Minor Applicants’ Right to Education” provides:

1. Minor applicants have the right to pre-university education with the same conditions as minors who are nationals of the Republic of Albania.

2. Attendance by minor applicants of pre-university education, pursuant to paragraph 1 of this Article, shall begin within three months from the date of submission of the application for international protection.

- Article no. 61 “Right to Employment and Right to Vocational Training”:

1. Applicants shall have the right to work no later than nine months from the date of lodging the application, if the authority responsible for asylum and refugees has not yet taken a decision and the delay cannot not be attributed to the applicant.

2. The Republic of Albania may, for reasons of labour market policies, give priority to its own citizens in the labour market.

3. Applicants shall have the right to receive vocational training, irrespective of their access to the labour market.

During the reporting period, the National Coalition of Anti-Trafficking Shelters informs that: 101 beneficiaries from Afghan asylum seekers have been supported with direct assistance: 58 beneficiaries (23 men, 31 women and 4 children) have been supported with basic needs: clothing, food and medicine; 2 of them with an apartment for rent; 72 beneficiaries were supported with psychological counseling; 52 beneficiaries with legal advice; 2 boys were accommodated in the shelter and 16 boys were assisted with information at the police station and referred for further support to the Child Protection Unit.

-Article no. 57 “Health Care”

1. Applicants are entitled to health care, which comprises emergency health care, health care services, and treatment of serious conditions and mental health disorders.

2. Applicants who have been subjected to rape, torture, inhuman or degrading treatment, or other serious forms of violence, and applicants belonging to the special category, shall be provided with the necessary health care according to their specific needs and the consequences suffered.

**7. What specific measures are taken to reduce the vulnerability to THB of migrant workers (including seasonal workers, seconded/posted workers, domestic workers, diplomatic household employees)? Please provide information on policies and measures in the following areas:**

On 14 December 2022, the Prime Minister of Albania, Mr. Edi Rama and the Prime Minister of the United Kingdom, Mr. Rishi Sunak signed the joint communication Albania - United Kingdom "Deepening bilateral cooperation in areas of common interest", where they agreed to deepen cooperation in three areas of common interest: a) security issues and internal affairs (with special attention to the fight against organized crime and illegal immigration); b) economic growth and investments; c) innovation, youth and education, to further improve the monitoring and supervision of illegal migration and also, the two governments agree to work with the Expert Group for Action against Trafficking in Human Beings. (GRETA), to guarantee independent reporting on the implementation of the measures.

<https://www.kryeministria.al/newsroom/komunikate-e-perbashket-shqiperi-mbreteri-e-bashkuar-thellimi-i-bashkepunimit-dypalesh-ne-fushat-me-interes-te-perbashket/>

- a. provision of comprehensive and accessible information, in a range of relevant languages, on migration and labour laws, worker protection and contacts of relevant organisations;
- b. provision of clear employment contracts;

Based on the law no. 79/2021 "For foreigners", the migrant worker can work in the territory of the country, if he has a unique permit, unless otherwise provided. The application for a unique permit is made online and is reviewed by the border and migration directorates in the county where the activity is carried out.

The border and migration authorities issue the unique permit after the approval of the National Agency for Employment and Skills has been obtained, unless otherwise provided by this law, by intergovernmental agreement or by decision of the Council of Ministers.

The National Agency for Employment and Skills issues the employment approval after it has completed its verifications regarding the legal criteria that the foreigner and his employer must meet. One of them is that: "b) foreign employees are not employed under less favorable conditions than Albanian employees in the same position. The information related to salaries, working hours and other working conditions, are in accordance with Albanian norms, labor legislation" (Articles 56 and 74 of Law 79/2021 "For foreigners").

Also, the Labor Code of the Republic of Albania guarantees non-discrimination of local and foreign workers, in its article 9.

At the counters of the Employment Offices and NAES, information brochures and leaflets are available and distributed to job seekers (including migrant workers), acquainting them with their rights and obligations.

- c. access to decent work and housing, health care, social services and education;

Migrant workers have the right to access decent work. Before the employment approval, the National Agency for Employment and Skills checks that the employment and working conditions are according to the national employment legislation and there is no discrimination in this regard compared to Albanian citizens. (Article 74 of the Law on Foreigners and Article 9 of the Labor Code).

The DCM no. 858, dated 29.12.2021, "On determining the criteria, procedures and documentation for the entry, stay and treatment of foreigners in the Republic of Albania", in Chapter III/B determined that one of the documents and conditions that must be met the foreigner, in order to apply for a residence permit is also the document that proves suitable accommodation/purchase or rental contract of the apartment, in accordance with the housing standards in Albania.

- d. possibility to change employers;

The migrant worker can change his employer. In general, he has the obligation to adhere to the motive of granting the unique permit according to the motive of the work. In case he changes the place of work, he is obliged to notify the responsible authorities of any change in the conditions under which the unique permit was issued and to request its approval in case the change concerns:

- a) Name and address of the employer;
- b) the valid work contract covering the time for which the unique permit was issued;
- c) Authorized activities as an employed person (Article 71, Law no. 79/2021).
  - e. access to confidential complaints mechanisms;
  - f. right to join trade unions and to engage in collective bargaining;

According to the Labor Code of the Republic of Albania, in the exercise of the right to employment and occupation, any form of discrimination, provided for in the Code and in the special legislation for protection against discrimination, is prohibited. In terms of the Labor Code, the prohibition of discrimination and the application of the principle of equal treatment in the exercise of the right to employment and occupation also applies in relation to:

- o membership and activation in trade union organizations and employers' organizations, or in any organization whose members exercise a certain profession, including the benefits offered by these organizations;

The Code provides that, in the case where a person claims to have been violated by the non-application of the principle of equal treatment in the exercise of the right to employment and profession, according to this Code, the appeal procedure is applied based on the law "On Protection from Discrimination".

In all appeal procedures, if the appellant presents facts from which it can be claimed that he has been discriminated in the exercise of the right to employment and occupation, the person against whom the appeal is filed or the respondent is obliged to prove that it has not been violated the principle of equal treatment. (Article no. 9, Labor Code).

The Albanian state joins the countries where the right of trade unions is protected by law, cited in the Labor Code, specifically in article no. 10 "Freedom of Trade Unions and Collective Negotiations", also in articles 176-187 "Trade Union Organizations".

- g. legal avenues for regularising their stay in the country.

Article no. 8 of the Labor Code provides:

"1. Forced labor in all its forms is prohibited.

2. Forced or compulsory work is any work or service that is required of an individual against his will, threatening any type of punishment".

Law no. 79/2021 "For foreigners" regulates the regime of entry, stay, employment and exit of foreigners to/from the Republic of Albania. The law defines the functions and powers of state authorities and other subjects, public and private, Albanian or foreign, in accordance with the principle of the best interest of the child, the principle of the right to family life, the principle of non-refoulement, the principle of fair and transparent procedures and the principle of non-discrimination, carry out activities in the Republic of Albania, which are related to foreigners who seek to enter, who enter, stay and leave the Republic of Albania.

The priority of labor inspection has also been the inspection of private employment agencies, as a form of recruiting employees, mainly foreigners. It is the duty of labor inspectors to check the contract

between the temporary employment agency and the host company. The employment contract between the employment agency and the employee was also checked for compliance with the rules.

**8. Do labour inspectorates and other authorities checking workplace conditions possess a comprehensive mandate, and adequate human, financial and technical resources, to conduct regular, proactive workplace inspections in all economic sectors, with a particular emphasis on high-risk sectors prone to exploitation? How do labour inspectors co-operate with other authorities and trade unions? Is there a separation between labour inspection and immigration control functions?**

Labor inspection is regulated by law no. 9634/2006 "On labor inspection" as amended, which contains the principles of the ILO Convention no. 81 "On inspection of work in industry and trade". The labor inspector inspects natural and legal persons, domestic or foreign, private or public, who exercise profitable or non-profitable economic activity in the territory of the Republic of Albania. The general mission of the State Inspectorate of Labor and Social Services (SILSS) is to control, ascertain, advise, inform, mitigate conflicts, prevent and sanction. SILSS is a body charged by law to:

- a) ensures the implementation of legal provisions for working conditions and the protection of employees in the exercise of their profession, for the duration of work, wages, insurance, hygiene and welfare, the employment of children, minors and women, as well as for other issues, closely related to them, to the extent that labor inspectors have the duty to ensure the implementation of these provisions;
- b) provide the employer and the employee with data and technical advice on the most efficient means of revising the legal provisions;
- c) notify the responsible authority of deficiencies and abuses, which are not specifically covered by the legal provisions in force, as well as propose the necessary tools and instruments to improve the situation.

SLISS continues to strengthen the institutional capacities for coordination, supervision and improvement of the inspection process. The inspection activity extends to 6 Regional Directorates, where the inspection procedures are carried out online through the "e-inspection" system, performing the administrative investigation of compliance with legal requirements, in real time near and in the presence of the subject, as well as increasing the transparency of the process of inspection.

New training and new tools have been introduced as a result of capacity audits of labor inspectorates. During 2023, the focus has been on training related to violence and harassment in the world of work. International standards and national and international practices related to discrimination, violence and harassment in the world of work and the role and interaction of inspection/monitoring institutions to fight the phenomenon of discrimination, violence and harassment as a matter of safety and health at work, have strengthened the cooperation of SLISS with the trade unions and the Commissioner for Protection from Discrimination.

In implementation of the ESAP II project, with EU funds, an inspection planning system has been set up based on the possible risk for violations of legal provisions on informality, labor relations and working conditions, where are also indicators the groups that get special from the provisions of Labor Code.

Dedicated sectoral checklists in textile, footwear, construction and private employment agency activities have also been revised.

The continuous development of awareness campaigns in addition to the control task, has influenced the awareness of work actors in various sectors of the economy.

Cooperation to combat informal employment has also been strengthened, both with the General Directorate of Taxes and the National Business Center.

SLISS is part of the working group for the revision of the Memorandum of Understanding between the Ministry of the Interior, the General Directorate of Taxes and the State Police. This memorandum aims to increase preventive measures for the proactive identification and protection of victims of forced labor and trafficking.

**9. How are employment and recruitment agencies regulated and monitored? Are all stages of the recruitment process, including advertisements, selection, transport, and placement, subject to regulation? Are recruitment fees and related costs prohibited from being borne by workers or jobseekers?**

The activity of private employment agencies is regulated based on the legal framework provided by the international convention in the field of migration for reasons of employment and private employment agencies, employment and licensing legislation and by-laws for the creation and operation of private employment agencies, such as:

- International Convention no. 181 of the ONP, "On private employment agencies",
- Labor Code,
- Law no. 15/2019 "On promoting employment" as amended,
- Law no. 9668/2006 "On the emigration of Albanian citizens for reasons of employment",
- Decision of the Council of Ministers no. 286, dated 21.5.2018, "On some special rules for temporary employees, who are employed by temporary employment agencies"
- Decision of the Council of Ministers no. 101, dated 23.2. 2018 "Manual for the organization and operation of Private Employment Agencies".

They determine cases of violations in the activity of private employment agencies and the inspection and monitoring of their activity during inspections in private employment agencies and reporting to the minister responsible for employment. They specify that the employee in any case does not pay the agency fees, but they are covered by the employer. In this regard, no discrimination is foreseen if the employee is a local citizen or a foreigner.

The creation of employment relations (employer - employee) is carried out directly by the employer or the employee uses specialized services provided by state employment offices or private employment agencies. The activity of private employment agencies is subject to the rules defined by the Decision of the Council of Ministers no. 101 dated 23.02.2018 "On the way of organization and operation of Private Employment Agencies" as well as DCM no. 286, dated 21.05.2018 "On some special rules for temporary employees, who are employed by temporary employment agencies", as amended. According to these legal provisions, the private activity of mediation in employment is exercised only by private employment agencies, licensed, after meeting the requirements defined in the legislation for licenses.

The private employment agency is registered as a private natural/legal person and performs the activity of job mediation, through these services:

- a) Information, counseling, as well as assessment of requests and requests for mediation for employment;

- b) Job search;
- c) Mediation for determining the conditions and connections and work relations, between the job seeker and the employer.

To carry out its activity, the agency must be equipped with the license of category X.2.A, "Mediation in the labor market", in accordance with the legislation of the field in force.

For the employment of Albanian citizens abroad, the agency implements all bilateral agreements of the Albanian government with the relevant countries.

The agency's services for job seekers are free. The Agency does not charge the jobseeker with any financial obligation, direct or indirect, except for the payment of the necessary expenses for completing the administrative file of each jobseeker.

The expenses for the mediation service, carried out by the agency, must be borne by the employer. The agency ensures equal treatment for all job seekers. The jobseeker mediated by the agency have the right to collective agreements, minimum wage, working hours and conditions, social security benefits, property protection and health at work.

The agency must notify the job seeker of the working and employment conditions, before starting the employment relationship. The agency must not mediate for the job seeker in workplaces that present a risk of insecurity for his life and health or where he may be subject to abuse or discriminatory treatment.

The personnel of the agency, for the services it provides, must have the necessary qualification and training.

The agency cooperates with state employment offices for:

- a) the collection, exchange of data and the use of common terminology, for improving the transparency of the operation of the labor market;
- b) exchange of notices about job vacancies;
- c) conclusion of agreements for the implementation of various activities;
- ç) personnel training.

The processing of the jobseeker's data by the agency is done respecting confidentiality.

The State Labor Inspectorate performs periodic inspections to determine the compliance of the agency's activity with the relevant legislation and, when it notices a violation, notifies the ministry responsible for employment issues. In order to better monitor private employment agencies, SLISS has revised the checklists for this activity.

## **10. How do you prevent and sanction abuses of legal constructions such as self-employment, letter-box companies, sub-contracting, and posting of workers, which may be used to commit THB?**

Regarding foreign employees who are sent by a company or temporary work agency outside the territory of the Republic of Albania (RA) to perform a work activity, the article no. 3/1 of the Labor Code "Temporary employment of foreign workers in Albania" defines the cases of employed employees and the rules in accordance with the European Union.

The ministry responsible for employment issues, notifies the National Business Center of license revocation, in cases where the agency/natural/legal person (partner, shareholder or member of its management bodies):

- a) has been convicted for criminal offenses committed intentionally;
- b) violated the principle of equality, by discriminating against job seekers;
- c) it is confirmed that he has requested fees from the job seeker for the services provided directly or indirectly or has accepted payments, goods or services from the job seeker, with the exception of the payment of expenses necessary for completing the administrative file.
- d) publishes false or misleading notices about mediation;
- e) makes false statements, testimonies or uses forged documents;
- f) directly or indirectly encourages the job seeker to transfer to another workplace, except when the transfer is in the interest of the job seeker;
- g) influences or tries to influence any employer or enterprise not to employ certain persons;
- h) offers its own services for minors;
- i) undertakes to mediate for the job seeker in workplaces that violate the dignity of the Republic of Albania;
- j) obstructs or attempts to obstruct the inspection of the relevant bodies;
- k) does not fulfill obligations for social security or employment contracts for its employees;
- l) does not respect the provisions of this decision.

### **11. How do your country's migration legislation and policies seek to prevent THB by enabling lawful migration and legal employment opportunities accompanied by decent work conditions?**

The Albanian legal framework during the last years has been in line with EU legislation and aimed at building a migration policy as strong and coherent as possible. Normative acts in its implementation have been improved not only in terms of procedures for travel documents, visas, employment, residence, family reunification, but also in terms of protecting the rights of all migrants and their families, with a focus on especially in respecting international principles in the treatment of migrant women.

During this period, law no. 79/2021, "For Foreigners" and Decision no. 858, dated 29.12.2021, of the Council of Ministers "On determining the criteria of procedures and documentation for the entry, stay and treatment of foreigners in the Republic of Albania" and instruction no. 174, dated 12.09.2022 of the Minister of Interior "On the procedures for the treatment of foreigners with irregular stay in the territory of the Republic of Albania", which also regulate the treatment of VoT and PVoT, were approved.

Vulnerable persons, according to the provisions of Law No. 79/2021 "For Foreigners", are foreign minors, unaccompanied minors, persons with disabilities, elderly, pregnant women, single parents with minor children, and persons who have been subject to torture, rape or other forms of severe psychological, physical and sexual violence, migrants who due to their specific situation are unable to enjoy their rights and are in particularly delicate situation, such as domestic workers, migrants with certain sexual orientations, migrants in serious health conditions and those with disabilities'.

The law " On Foreigners" guarantees and defines the right of foreigners and their family members who stay legally in the Republic of Albania to create a family or take care of family life. In case of termination of the family relationship of the spouse, or of the unmarried partner, within the 5-year period from the benefit of the first residence permit, as a result of family reunification, this right is lost. Exceptionally, when the dissolution of the family relationship with the spouse/cohabitant is due

to domestic violence or other forms of gender-based violence, victims of gender-based violence are granted, upon request, an autonomous residence permit, regardless of the duration of the marriage or the relationship.

According to the law, the local authority responsible for the border and migration, issues a temporary residence permit of type "A" for humanitarian reasons to the foreigner, when he is an abandoned minor or has been left without parental protection, guardian or companion for other reasons, as well as in cases where the woman is more than 6 months pregnant. Likewise, the foreigner, who is a victim or potential victim of trafficking, is provided with a type "A" temporary residence permit.

In accordance with Article no. 53 of the law, the issuance of a residence permit for victims of human trafficking is also foreseen. The residence permit, issued for this reason, serves only for residence and does not enable re-entry into the territory of the Republic of Albania in case the foreigner leaves the territory.

The residence permit for this reason is issued for a period of 1 year and is renewed only in cases where:

- it is estimated that her/his attitude does not pose a threat to public and national security;
- it is estimated that there is a clear will of the person to cooperate with the justice bodies during the investigation or criminal proceedings;
- is awaiting status assessment by the competent authorities.

Furthermore, the local authority responsible for the border and migration, issues a type "A" temporary residence permit, for a 3-month period, to the foreigner regardless of his willingness to cooperate with justice, when there are reasonable grounds to believe that he is a victim or potential victim of trafficking, identified as such by the structures responsible for the identification and referral of victims of trafficking. This 3-month residence permit is granted to the victim or potential victim of trafficking in order to recover, as well as to be treated according to the physical and mental condition for making a well-informed decision to cooperate or not with the justice authorities.

The foreigner who is granted a temporary residence permit have the right to stay and move within the territory of the Republic of Albania, guaranteed as for foreigners who have a temporary residence permit, according to normal procedures. He cooperates with the bodies responsible for determining his identity, but the lack of evidence proving his identity is not sufficient as a basis for refusing to issue a temporary residence permit. The foreigner benefits from health care, financial assistance, support, as well as the right to work if he benefits according to the legal provisions in force.

The foreigner with the status of a possible victim of trafficking has the right to employment without first obtaining approval from the NAES and the employment relationship must be notified by the employer. The granting of the residence permit is not conditional on the existence of sufficient financial means of the victim to cover the expenses for the time of stay or on the lack of identification documents of the victim or potential victim of trafficking.

In accordance with the provisions of the law "On foreigners", public institutions have the obligation to cooperate, according to their competences, with social partners, non-profit organizations and international organizations for the promotion and implementation of programs for the integration of foreigners into society. In all activities carried out, public institutions and non-profit organizations offer foreigners protection against any form of discrimination.

Regarding the legal employment, the Law on Foreigners presents several categories of unique permits.



This law in a certain way has a liberal nature regarding the right to have access to the labor market, because many citizens from defined nationalities (USA, EU/Schengen Area, Western Balkan countries) have the opportunity to be provided with a unique work permit without being subject to labor market restrictions (preferential principle, quotas, etc.)

Article no 74 “Authorisation of employment for foreigners” provides:

1. The single permit issued to an alien who is an employee within the established quota shall consider the labour market developments and demands in the Republic of Albania.
2. Application for a single permit and a single permit for special cases shall be filed with the regional office responsible for border and migration in the area where the activity takes place.
3. Border and migration authorities shall issue the single permit following the consent from the National Agency for Employment and Skills, unless otherwise provided by this law, intergovernmental agreements or by means of a Council of Ministers’ decisions.
4. The request for authorisation of employment may be filed personally by the foreigner residing legally in the Republic of Albania, or the employer.
5. The categories exempt from the obligation to receive the authorisation of the National Agency for Employment and Skills according to this article include: the foreigner who is member of the family of an foreigner who is legally residing in the Republic of Albania, students, the freigner who in accordance with the specific articles of this law is exempted from the obligation for approval for employment, self-employed, investors, au pairs, foreigners with the status of potential victim of trafficking, refugees, foreigners with temporary protection and foreigners with the status of supplementary protection.
6. Categories obtaining authorisation from the National Agency for Employment and Skills, unless otherwise provided by intergovernmental agreements or other legal acts, include employees, seasonal workers, inter-corporate transferees, highly qualified workers, volunteers, athletes and contracted service providers.
7. The Agency for Employment and Skills shall provide its consent in the following cases:
  - a) the application is within the approved annual quotas, in accordance with this law;
  - b) foreign workers have not been recruited to work under less favourable working conditions than the Albanian workers in the same position. From the review of information concerning wages, working hours and the other working conditions, it results that they comply with the Albanian labour laws;
  - c) the requirements of special articles related to employment are met;
  - ç) no worker falling within the categories specified in point 9 is available to fill that vacancy.
8. Any foreigner who falls within the category of inter-corporate transferee, for highly qualified employees, contract service employees, volunteers and athletes, shall be issued authorisation only on grounds of meeting the requirements provided for in the point 7 letter “b” and “c” of this article.
9. The National Agency for Employment and Skills, prior to approving the application of an foreigner to fill in a vacancy, shall suggest within the time limits set out in the vacancy call candidates who fit the requested profile who are ready to fill in the vacancy in question, as follows:
  - a) Albanian unemployed jobseekers;
  - b) foreigners who are family members of Albanian citizens;
  - c) nationals of the United States of America and the European Union and nationals of the Schengen Area and their family members, who are not nationals of these countries who legally reside in the Republic of Albania;
  - d) nationals of one of the following Western Balkans countries, Bosnia Herzegovina, Montenegro, Kosovo, Serbia, and North Macedonia;
  - e) family members of the foreigner who is legally staying in the Republic of Albania;
  - f) nationals of third countries with which the Republic of Albania has concluded bilateral or multilateral employment agreements;
  - g) foreigners who enjoy precedence in the Albanian labour market, in accordance with this law;

10. The application to fill in a vacancy shall be made public by the National Agency for Employment and Skills for 7 (seven) calendar days from the day where an foreign national has filed an application for approval of employment with this authority.

11. To receive authorisation, the employer shall send to the National Agency for Employment and Skills information on the wage, working hours and any other employment terms and conditions. Employers who wish to employ or have already employed an foreigner shall send this information within two weeks from the request made by the National Agency for Employment and Skills.

12. The National Agency for Employment and Skills shall issue an employment authorisation within two weeks (10 business days) from the receipt of the relevant application, when all the other criteria are met or in the time that follows their satisfaction.

13. Prior to filing for work authorisation for an foreigner, the employer may inquire the labour market conditions underlying granting of the said authorisation. S/he may send all the information enlisted in point 10 and 11 of this article to the National Agency for Employment and Skills. An employer may use this opportunity if he needs to be clear beforehand whether s/he is allowed to hire an alien and accelerate the employment authorisation process.

14. The employment authorisation may be limited in time, type of employment, employment, specific region and distribution of working hours. These restrictions shall be indicated in the single or residence permit.

15. Institutional cooperation concerning the implementation of this article shall be governed by a joint instruction of the minister in charge of public order and safety and the minister responsible for the economy.

Financial difficulties do not constitute a sufficient reason for the cancellation of the unique permit as a self-employed person, unless the holder is unable to meet the cost of living (Article no. 82).

During the period 2019-2022, the National Strategy for Migration and its Action Plan (2019-2022) approved by the decision of the Council of Ministers no. 400, dated 19.6.2019. This political document and action plan brought a number of positive results regarding the treatment of vulnerable categories. In January 2021, the drafting of the contingency plan was finalized, which will make Albania manage mixed flows, considering the vulnerabilities of populations on the move (such as unaccompanied minors, victims of trafficking, asylum seekers, individuals with disabilities, etc.).

The Strategy helped to improve the reception infrastructure at the border crossing points to properly meet the specific needs of migrants (children, the elderly, people with disabilities, etc.) and the training of border workers to identify vulnerable categories in cases of massive mixed flows. Clear standard procedures for Assisted Voluntary Return were also developed, including for vulnerable categories such as unaccompanied minors, VoTs and asylum seekers, and special attention was given to reducing obstacles to the effective enjoyment of rights by the most vulnerable categories, such as female immigrants, children and young people.

## **12. How do your country's law and policies to discourage demand that leads to THB address particular vulnerabilities and groups at risk of THB?**

In the Criminal Code, several articles are provided for discouraging the request. Thus, Article 110/b "Benefit or use of services provided by trafficked persons" (Added by law no. 144, dated 2.5.2013) provides:

The benefit or use of services provided by trafficked persons, or of services that are the object of exploitation by trafficking, knowing that the person is trafficked, is punishable by imprisonment from two to five years. When this offense is committed against a child, it is punishable by imprisonment from three to seven years.

Article no. 110/c "Actions that facilitate trafficking" (added by law no. 144, dated 2.5.2013) provides: Falsifying, possessing or securing identity documents, passports, visas or other travel documents or keeping, removing, concealing, damaging or destroying them, which have served for adult trafficking, but without knowledge of this fact constitutes a criminal offense and is punishable by imprisonment from two to five years. And this crime, when it is committed in collaboration, more than once, or is committed by the person who has the duty to issue the identity card, passport, visa or travel document, or has enabled the trafficking of children, is punishable by imprisonment from four to eight years. And this offense, when it has brought serious consequences, is punished with imprisonment of not less than five years.

In September 2022, was aproved the Instruction no. 174, of the Minister of the Interior "On the procedures for the treatment of foreigners with irregular stay in the territory of the Republic of Albania", which regulates all standards and processes of identification and registration of migrants in the territory of Albania, or at the border points, as well as includes the preliminary screening of irregular migrants.

The selection process is carried out at the border or within the territory and aims to determine the category of the foreigner, classifying him as:

- subject to refusal of entry;
- applicant for international protection;
- possible victim of trafficking;
- irregular immigrant;
- unaccompanied minor.

The instruction provides that if in the selection procedure are found elements that raise suspicions about a victim of trafficking or a potential victim of trafficking, the local authority for the treatment of foreigners, in application of the Standard Operational Procedures for the protection of victims and potential victims of trafficking (DCM no. 499, dated 29.08.2018), immediately notify the anti-illegal trafficking structures in the Local Police Directorate and hands over the foreigner after completing the handover report.

In accordance with the law on foreigners, victims/potential victims of trafficking are held in state and non-state reception and reintegration centers, within the framework of cooperation with national and international organizations. The local authority responsible for the border and migration gives priority to the execution of voluntary return, especially for some categories of persons, including victims of human trafficking, who want to return to their country of origin.

**13. How do your country's legislation and practice ensure that there is an individual assessment of protection needs at the borders prior to any refusals of entry or expulsions?**

Border and migration police officers in the Republic of Albania, implementing screening procedures, ensure an individual assessment at the border, thus respecting the principle of "non-refoulement".

**14. What measures are taken to prevent THB in sports? What sectors and categories/groups of people have been identified as being at risk?**

During the reporting period, there is no case identified as a victim or potential victim of trafficking in sports sectors/clubs/gatherings. The procedures envisage specialized sectoral and cross-sectoral/multidisciplinary interventions. Their implementation is the obligation of all state institutions,

at the central and local level, that work in the country or are on a state mission abroad. Acting in accordance with these procedures is also the obligation of all non-state agencies that exercise their activity in the territory of the Republic of Albania. At any moment in which they, during their activity (including activity and sports activities), come into contact with a person and they suspect that he/she may have been trafficked or they are informed that they are a victim/potential victim of trafficking, they must be immediately in contact and consult with the Responsible Authority.

**15. Have you identified online practices that may increase the risk of becoming a victim of THB for different forms of exploitation? What mechanisms have been developed to prevent the misuse of information and communication technology for THB purposes? What is the practical effect of their implementation?**

The most obvious means of recruitment used by traffickers are applications such as Instagram, snap chat, FB. Social media is increasingly being used as a tool by male traffickers to identify young women/girl victims with whom they can establish a false relationship before trafficking them for sexual exploitation in Albania or elsewhere.

Female perpetrators play a key role in human trafficking crimes: they act as the victim's friend, but then lure them to the place of exploitation. Many female authors are former victims of trafficking.

Traffickers typically use GPS software on phones to track victims' movements or, in the case of domestic slavery and other forms of labor exploitation, monitor and control victims through video surveillance.

To address this issue, the "Strategy for the investigation of cybercrimes and the Action Plan 2021-2025" was approved by Order of the Minister of the Interior No. 494, dated 30.12.2020. In fulfillment of the commitments of the cyber investigation structures in the State Police, as well as in full coherence with the strategic developments of developed countries, for a cyber environment as safe as possible, this strategy is based on these basic principles:

- o Law enforcement in cyberspace;
- o Protection of fundamental rights, freedom of expression, personal data and privacy;
- o Shared responsibility in guaranteeing safe access to cyberspace;
- o Cooperation with partners for efficient interaction against cybercrimes.

The Cybercrime Investigation Strategy defines the obligations of the state police, to enable the establishment and development of appropriate institutional mechanisms, in order to increase the level of response to cybercrimes in the country, but also the continuous cooperation with international partners. The strategy foresees the concrete steps that will be followed in relation to cybercrimes and, in particular, to the problems of children in the digital environment. One of its objectives is the rapid and professional response for the prevention, prosecution and investigation of cybercrimes against children in cyberspace and the increase of national and international cooperation in the field of cybercrime investigation with strategic partners.

The strategy foresees specific measures regarding the prevention of sexual abuse of children on the Internet by increasing the awareness of children and actors who have children as the focus of their work; - strengthening the legal framework for the prevention, prosecution and fight of cybercrimes against children on the Internet; - effective investigation and bringing to justice the perpetrators of cybercrimes against children with a focus on sexual abuse and exploitation; - increasing awareness and education among all actors of society about cybercrimes against children; and - strengthening intersectoral cooperation for the protection of children against cybercrimes.

**16. What measures are taken to raise awareness of the risks of technology-facilitated THB, including among children, parents, teachers, child care professionals and social workers? What technology-based initiatives exist in your country to disseminate information to groups/communities at risk of THB?**

In implementation of the National Action Plan for the fight against human trafficking 2018-2020 and 2021-2023, following a positive tradition created over the years, during the month of October nominated "Anti-Trafficking Month", state and non-state structures have organized informative meetings and raising awareness with children, women, vulnerable groups, regarding the phenomenon of trafficking, ways of reporting cases, the consequences of trafficking, etc.

Regarding measures to protect the best interest of the child in the digital environment, in cooperation with NAECCS, meetings were held with professionals, including the prosecution and the police regarding the punishment of cases of online abuse. 76 professionals participated in these meetings. Trainings and meetings have been organized to raise awareness about the dangers for children in the cyber environment. About 210 children and 70 professionals participated.

In 2021, the Ministry of the Interior, in cooperation with the OSCE, organized the first simulation training, where representatives of state structures (police, prosecution, social service, child protection workers, service providers, members of the National Mechanism of Referral and Responsible Authority), in order to identify institutional needs related to criminal identification, investigation and prosecution. 60 representatives of the aforementioned structures participated in this technical workshop, where, under the guidance of international and national experts, to collect data on the challenges of investigating and prosecuting human trafficking cases.

NACT has contributed to the prevention of human trafficking, through informative and educational sessions with young people in 9-year schools, high schools and universities, and also with the community. NACT organizations used different marketing strategies to disseminate information to urban and rural communities from north to south, using different channels, such as social media messages, local and national television presentations, distribution of information leaflets, face-to-face meetings, public forums and meetings.

ARSIS, in cooperation with the State Agency for Protection of Children's Rights and the National Authority for Electronic Certification and Cyber Security are implementing a project, which aims to create a safe cyber environment for children, raising awareness within society, empowering children and youth and increasing the professional capacities of educational institutions, the police, the private sector and other law enforcement agencies with a cross-sectoral approach.

This project aims to inform and empower children and young people to engage in cyber security programs within their communities, coordinated with schools (academic and psychosocial staff), community representatives (parents) and supported by child protection structures in the municipalities of Elbasan, Durrës, Kruja, Tirana and NAECCS.

Community members, especially those living in distant or underserved areas, benefit from information sessions on harmful social norms, online trafficking and exploitation, and hate speech. This knowledge will help them be more alert to the dangers and benefits of the Internet for children in different situations.

Furthermore, professionals such as child protection officers, school psychosocial teams, police officers and frontline professionals will strengthen their knowledge to respond to identified cases of children at risk, such as preventive measures. These professionals will also increase coordination and interaction to create a safe cyber environment and promote positive role models in dealing with cases of online child exploitation.

### **17. How do you cooperate with ICT companies and Internet service providers, including content hosts and social media, in preventing THB?**

In December 2023, in cooperation with the Electronic and Postal Communications Authority and the 2 telephone operators (ONE and VODAFONE), the free National Line 116006 was activated and transferred from the operating room of the General Directorate of the State Police near the Anti-trafficking Sector to the Ministry of Interior. A staff member handles and receives only incoming calls to the number 116006.

In order to promote the Line and make the community aware of the phenomenon of trafficking, on January 23, 2024, the anti-trafficking communication campaign "Truth in the Light" 116 006 was presented, as part of the "Transformation of the national response to human trafficking to and from Albania" program, which is funded by the UK government and implemented by UNICEF Albania. The main goal of this campaign is to reduce human trafficking in and from Albania through prevention, protection and services for the reintegration of survivors, as well as the strengthening of coordinated anti-trafficking partnerships. UNICEF has prepared the communication campaign of the Anti-Trafficking Program, in close consultation with the Ministry of Interior, the British Embassy in Tirana and the implementing partners of the program. <https://mb.gov.al/prezantsohet-fushata-e-komunikimit-antitrafik-e-verteta-ndrit-160-006/>

### **18. How are policies and practices aimed at preventing THB informed by the experiences of victims and at-risk individuals?**

In April 2019, was signed the Agreement between the National Coordinator for the Fight against Human Trafficking and the National Coalition of Anti-Trafficking Shelters "On the Establishment and Functioning of the Advisory Board for Victims/Potential Victims of Trafficking" (No. 2931 Prot, dated 04.08.2019). On May 30, 2019, the Advisory Board for Victims/Potential Victims of Trafficking was established with 3 members. In implementation of the Agreement, the Board Regulations, Confidentiality Statement and Consent Statement were drawn up.

The board has the purpose of

- The creation of a comprehensive advisory mechanism with an active role of the victims of trafficking who have been reintegrated/in the process of reintegration;
- Increasing the partnership of state institutions with civil society in raising awareness, prevention and the fight against human trafficking;
- Consolidation of cooperation and creation of sustainable coordination mechanisms with the participation of civil society and beyond.
- Increasing the representation of victims of trafficking in all stages of decision-making and the drafting of policies and programs for the prevention of trafficking and the protection of victims.

In order to address the problems identified by the victims/potential victims of trafficking and their involvement in the drafting of anti-trafficking policies and decision-making, the Agreement on the

operation of the National Referral Mechanism (signed on 26.06.2023) provides an article dedicated to the engagement of the Advisory Board and specifically:

Article no 12 "Consultation with the Trafficking Victims Advisory Board":

In accordance with the provisions of the Agreement between the National Coordinator for issues of the fight against human trafficking and the National Coalition of Anti-trafficking Shelters, the recommendations given by the victims in the consultative meetings are presented to the members of the NRM at the next scheduled meeting.

## **II. IDENTIFICATION OF VICTIMS AND PROTECTION OF THEIR RIGHTS (Articles 10, 11, 12, 14 and 16)**

**19. Among the victims of THB identified, were any subjected to exploitation on the basis of their sexual orientation and/or gender identity (LGBTI+: lesbian, gay, bisexual, transgender or intersex), especially teenagers and young adults? If yes, did any of them report on police misconduct?**

NATC reports that no case has been identified as a victim of trafficking or potential victim of trafficking exploited on the basis of their sexual orientation or gender identity (LGBTI, lesbian, gay, bisexual, transgender or intersex).

During the practical work of the ARSIS Initiative, in providing support and emergency services, cases of minors and young people have been identified who have been assessed as possible victims of trafficking in conditions of high vulnerability due to their sexual orientation and declaration as transgender. But there have been no reports of police misconduct on their part.

**20. What specific measures are taken to ensure that trafficked persons who are migrant workers, including in an irregular situation, are identified as victims of THB and have access to the rights provided for in the Convention? Is there cooperation with specialised NGOs, trade unions, and employers to enhance the identification and protection of potential victims within these at-risk groups?**

According to the law on foreigners, when the foreigner has been subjected to the conditions of exploitative work in the Republic of Albania and cooperates in a criminal process against the employer until the end of the process and benefits from the compensation that is determined by the process, he may be granted a residence permit for humanitarian reasons (Article no. 52, Law on Foreigners).

The law on foreigners provides for victims of trafficking a special permit, the residence permit for victims of human trafficking (explained in question 11). The local authority responsible for border and migration issues a temporary residence permit to a foreigner who is a victim or potential victim of trafficking. The foreigner, who is granted a temporary residence permit, have the rights of residence and movement within the territory of the Republic of Albania, guaranteed, according to standard procedures. He cooperates with the authorities responsible for determining his identity, but the lack of evidence proving his identity is not sufficient as a basis for refusing to issue a temporary residence permit. The foreigner benefits from health care, financial assistance, support, as well as the right to work if he benefits according to the legal provisions in force. The foreigner with the status of a potential victim of trafficking has the right to employment without first obtaining approval from the NAES and the employer must notify for the employment relationship (Article no. 53, Law on Foreigners).

In cases where the foreigner must leave the territory, the local authority responsible for border and migration gives priority to the execution of assisted voluntary return, to victims of trafficking who

want to return to their country of origin, as well as to foreigners who are caught working illegally in the territory of the Republic of Albania but which has not brought harmful consequences for public order and security and which declares that will leave the territory voluntarily (Article nr. 101, Law on Foreigners).

For the reporting period, there were no reported cases of trafficked persons who are migrant workers, including in an irregular situation.

There is effective cooperation between partner organizations to identify, refer and assist migrant workers who may be trafficked persons.

The Ministry of Interior, in cooperation with the State Inspectorate of Labor and Social Services, the General Directorate of Taxes and the General Directorate of the State Police have drawn up the document for the revision of the Memorandum of Understanding between the Ministry of Interior and the Ministry of Finance and Economy "On the procedures of cooperation for the identification of cases of forced labor and trafficking for the purpose of employment".

The purpose of this memorandum is to increase preventive measures for proactive identification and protection of victims of forced labor and trafficking. The main focus of the memorandum is the implementation of the principle of legality for the prohibition of forced labor, protection of personal data, respect for the right to freedom of movement, social protection of work, non-discrimination, as well as protection of the best interest of children.

Through this document, the responsibilities and commitments of each party during the joint work for the prevention, proactive identification and protection of victims of forced labor and trafficking are determined, as well as the regulation of relations and modalities between the structures involved in it. The memorandum will contribute to the establishment of close cooperation between the institutions, in order to avoid delays in the exchange of information, but also to undertake joint actions in order to prevent and identify cases of exploitation at work.

## **21. What measures are in place to encourage victims of THB to report their situation to the authorities and/or civil society organisations?**

Decision of the Council of Ministers no. 499, dated 29.08.2018 "On the adoption of Standard Operating Procedures for the protection of victims and potential victims of trafficking" charges a number of public institutions with responsibility and legal obligation, such as: the state police, the health system, the education system, the inspectorate of work, state social service, municipal social services, diplomatic missions, mobile units, child protection units, NGOs, etc.) to report if a person is a possible victim of trafficking. The Standard Operating Procedures mean specialized sectoral and cross-sectoral/multidisciplinary interventions and their implementation is the obligation of all state institutions, at the central and local level that work within the territory of the Republic of Albania or are on a state mission abroad, as well as cooperation with analogous structures of foreign countries. The implementation of the Standard Procedures is also mandatory for non-state agencies that exercise their activity in the territory of the Republic of Albania, at any moment in which they, during their activity, come into contact with a person who they suspect may have been trafficked or they have information that is a trafficked person.

The National Freeline 116 006 is accessible from any phone, through which anyone who is in a situation of exploitation or suspects someone in such a situation can seek help directly and can report the case.



Another measure is the establishment of Mobile Units in 9 counties of Albania, whose function is to identify and refer cases, as well as to raise awareness and inform individuals, groups and communities about trafficking issues (eg information about what is trafficking of human beings, forms of exploitation, recruitment methods, vulnerable groups, how to protect themselves, where to report and seek help).

Victims of trafficking are always provided with a safe physical environment both before and during their treatment. After adapting the case to the environment and establishing a relationship of trust with the psychologist and the lawyer of the reception centers, the victim get support, security and encouragement while providing information.

**22. What specific measures are taken in your country to detect/identify and refer to assistance possible victims of THB at the borders? What measures are taken in your country to identify victims of THB during the examination of asylum applications and prior to the return of persons whose applications are rejected?**

The decision of the Council of Ministers "On the approval of the Standard Operating Procedures (SOP) for the protection of victims and potential victims of trafficking" (DCM no. 499, dated 29.08.2018), aims to define the standard operating procedures for the protection in the right time and manner of trafficked persons, adults or minors, for all types of exploitation, domestic or international trafficking, related or not to organized crime.

The main focus of these procedures is the victim and his protection, examining each situation case by case and building some standards accepted by all on how the whole process of identification, referral and then protection of the victim of trafficking will take place. These procedures apply to all categories of victims/potential victims (minors and adults, women and men, Albanians and foreigners) who are subject to trafficking for all types of exploitation.

The procedures foresee situations in which our country, or certain areas of the country, are used, or can be used as a country of origin, transit and destination for the movement and exploitation of Albanian and foreign trafficked persons, as well as situations in which persons of trafficked with Albanian citizenship, or presumed to be Albanian are located outside the territory of the Republic of Albania.

Based on point 4 of the SOP-s "Definitions", Protection of trafficked persons includes all actions performed by employees of central and local state institutions, as well as non-state institutions - members or not of the National Referral Mechanism for reception, identification, immediate assistance and assistance for the rehabilitation and safe re-integration of trafficked persons in accordance with these procedures. All the institutions charged in this document contribute to protection, at all times, from identification to full re/integration of trafficked persons. Protection includes:

- Identification and initial reaction;
- Formal identification;
- Planning and Support for Reintegration;
- Planning and Support for Assisted Voluntary Return;
- Reception of trafficked persons with Albanian citizenship;
- Voluntary assisted return for foreign citizens;

- Supporting the investigation and punishment of traffickers.

According to the SOPs, "Identification and Initial Response" is the set of actions taken by the employees of state and non-state institutions, local and central, responsible for the protection of trafficked persons at the borders, inside and outside the territory of the RA, which determine that a minor or an adult is a possible victim of human trafficking. These actions should include: 1. assessment of the situation of the persons through the indicators of trafficking; 2. assessment of the potential/opportunities of the institution/organization to immediately remove the person from the situation of exploitation; 3. intervention to immediately remove the person from the situation of exploitation/interruption of exploitation (by himself or through state police officers); 4. Informing the person about the employee's judgment on his/her situation, the rights and the help that the institution itself can give to potential victims of trafficking and victims of trafficking or ways of accessing the help of victim protection institutions; 5. Notifying the Relevant Member of the Responsible Authority or the leader/Chairman of the Responsible Authority and communicating with him/her regarding placing the person in a safe environment that meets his/her immediate needs; 6. Supporting the placement of the person in a safe and suitable environment; 7. Assessment of the health situation and referral to health structures; 8. Completing the initial identification documentation and sending it to the relevant member of the Responsible Authority; 9. Supporting the process of formal identification; 10. Supporting the investigation and capture of traffickers; 11. Continuity of protection.

At the borders of RA, the agency responsible for initial identification is the Border Police (green and blue). In the territory of RA, the agencies responsible for initial identification are state and non-state agencies, including: NATC, centers of social care for persons in need, organizations with assistance programs for persons in need, regional state social service offices in districts, structures of the state police, the state labor inspectorate, schools and educational institutions, health care institutions, social services structures in the municipality. Outside the territory of the RA, the agencies/institutions responsible for identifying possible victims of trafficking with Albanian citizenship are the employees of the diplomatic missions of the RA, as well as other state and non-state agencies with activities in the field of protection of victims of trafficking.

Formal identification is the identification of a person as a victim of trafficking carried out only by the Group/Structure Responsible for Formal Identification, based on the format of the formal interview, which is carried out with the victim's own will and, when she is ready to carry it out. The formal identification includes at least: 1. The immediate intervention of the Illegal Traffic Investigation Sector to conduct the formal interview when notified by the reference agency or when the potential victim of trafficking himself expresses his will to the state police structures to conduct the formal interview; 2. determining whether the person is trafficked, through the collection and analysis of information provided by the person himself; 3. in-depth assessment of the needs of the victim of trafficking for help and protection; 4. providing instructions and ensuring the access of the trafficked person to appropriate and safe help; 5. collection of information and initiation of investigations for penalizing traffickers; 6. the formal interview/verification of the person's status as trafficked is carried out separately in time from the report (even if the person wants to make a report, in no case, the formal interview is not interrupted to receive the report, but another time is set).

The agency/institution responsible for formal identification is the Group/Structure Responsible for Formal Identification in the borders and territory of the RA (ad hoc), that conducts the formal interview of persons who are identified as potential victims of trafficking, consisting of a state police officer of

the section of the fight against illegal traffic and the child protection officer in the municipality/administrative unit for each case of minors and a state social worker of the regional office of the state social service and a state police officer of the section of the fight against illegal traffic for adults.

The process of referring victims of trafficking is clearly stated in the Standard Operating Procedures for the Protection of Victims and Potential Victims of Trafficking. Based on these procedures, after identification, referral is made based on the victims' needs, risk assessment and their will. The whole process is managed by the Responsible Authority and supported by the staff of the reception and reintegration centers and by state and non-state structures.

**23. What measures are taken in your country to identify victims of THB in immigration detention centres and prisons?**

The General Directorate of Prisons, as an institution responsible for the administration, control and supervision of the implementation of imprisonment decisions, has defined in its mission and vision the philosophy of humanism, implying dignified treatment and the guarantee of human rights for imprisoned citizens, for reasons of criminal proceedings or to serve a definitive sentence related to a crime. The protection of human rights has been the subject of continuous reforms by the institutions of the Albanian state to make them concrete and has always been a fundamental criteria for evaluating the performance and standards of management and treatment of law enforcement. Regarding the identification of victims of human trafficking, the prison staff has intervention and therapeutic programs for the rehabilitation of perpetrators of criminal offenses. At the same time, in cooperation with non-governmental organizations, the "Bridge of Restorative Justice" module has been implemented for three years. This module addresses the offender's approach to the victim and victim recovery. This program was developed on the basis of the EU program "Restorative Justice". This approach is also applied to other victims, such as domestic violence, sexual violence, etc.

**24. What services are available in your country to provide specific assistance to particularly vulnerable victims, such as:**

- a. persons with disabilities;

Law no. 121/2016 "On Social Services in the Republic of Albania", and DCM no. 518/2018 "On Community and Residential Social Care Services, the criteria, procedures for their benefit and the amount for personal expenses for the beneficiaries of organized service", define specialized services for all categories, such as: children in conflict with the law, persons with disabilities, abused or trafficked women and girls and all categories that need such services, including LGBTI, persons with disabilities, victims of severe mental and physical trauma, homeless persons, etc.

- b. LGBTI+ persons;

There is a shelter that provides housing services for the LGBTI community, as well as an organization called STREHA that cares for LGBTI adults.

For more than 5 years, MHSP has also financed the LGBTI shelter as there have been cases of sexual abuse, violence and trafficking against LGBTI persons. In the Tirana hospital, the Lilium center provides assistance to victims of violence, including sexual and trafficking victims. Such assistance is offered to men, boys, girls and women, i.e. to all individuals.

Two one Stop (2 one stop Centers) - are service centers adapted for child victims of sexual violence and other serious forms of violence, (clinically based) created in the Regional Hospitals of Fier and Shkodra (which respectively cover the north and the south of the country). This group of children benefits from the emergency service, designed as an integrated, one-stop, 24/7 center for short-term health care services, including trauma counseling and therapy. In order to offer the child these services, the Center cooperates with hospital structures and institutions or specialized structures. Parents/guardians are also beneficiaries of the Service Model which provides information, advice and support in the event of a crisis. Services at the Center are provided free of charge and are covered by the Center's budget. The center is financed from the hospital budget.

The center offers the following services: 1. first aid and emergency care; 2. crisis support; 3. specialized medical support and advice; 4. specialized psychological counseling and therapeutic interventions; 5. safe transport; 6. referral and cooperation with the Child Protection System.

Also, 2 national online helplines have been created, for children and adults, both men and women, and help is provided from the state budget to individuals who may have experienced sexual abuse, domestic violence and trafficking.

c. victims with children;

Child Protection Officers manage and monitor cases of children in need of protection including VoT/PVoT children. According to the SOPs, the Child Protection Officer is part of the formal interview for the children, and, in cases where the child is found to be VoT/PVoT, takes the case into protection according to the legislation in force, implementing the steps and the individual case management plan.

After the identification and assessment of the case, through visits to the family, the CPU gathers the necessary actors and realizes the meeting of the Cross-Sectoral Technical Group and together they draw up the Individual Child Protection Plan. With the participation of professionals from education, the police, the labor office, the regional social service, the social service in the municipality, health and the NGOs operating in that municipality, gather to discuss the provision of assistance to the child and the family. Every service is offered by the CPU with the focus on the child. The package of services offered to victims of trafficking includes the following:

- family visits and psychological, social and economic assessments;
- immediate services for children;
- accommodation;
- clothing;
- psychological counseling;
- registration in civil status;
- health care;
- school registration/ assistance for re-entering the school system;
- support services for children and the family (support with food packages, hygiene-sanitary packages, mediation for employment, psycho-social service, mediation and assistance in carrying out medical visits, free legal service, professional training and development of life skills during reintegration).

d. victims with severe mental and physical trauma;

In the public health care system, mental health disorders are treated at different levels of health care. At the community level, mental health services are provided in the Primary Health Care, by the team

of family doctors, part of the social-health centers (consisting of general practitioners/family doctors, nurses, psycho-social staff). Community Mental Health Centers are specialized outpatient mental health services, with the main target groups being people with severe mental health disorders. These services are the main link in the referral system from Primary Health Care to hospital mental health services. Specialized mental health services are provided through multidisciplinary teams, consisting of psychiatrists/child and adolescent psychiatrists, psychologists, social workers, occupational therapists, speech therapists, nurses, etc.).

An important typology of services for people with chronic mental health disorders are Supported Homes. They are functional units of specialized community-based mental health services, which aim to provide residential services to individuals in a family environment, where the main aim is the care and rehabilitation of individuals with mental health disorders. The rehabilitation process is carried out through the individual plan based on the *therapeutic-rehabilitation continuum*, as well as through partially or fully staffed supported housing. Supported homes are part of the network of community mental health services, in close connection with other health and social services in the respective area.

Meanwhile, specialized hospital mental health services include the provision of 24-hour service at the secondary and tertiary level of health care, near general hospitals or in specialized hospitals, which are organized and operate according to the legislation in force for hospital and health services. Inpatient mental health services are for people who can no longer be supported at home and need to be admitted to hospital because of serious mental health problems. In addition to the emergency and acute phase services provided through hospital admission services, treatment/rehabilitation services are also provided through wards for sub-acute patients who require longer treatment than that provided for in admission service functions.

e. homeless persons;

ARSIS administers the Emergency Safe Shelter Service, providing support to children and families facing high-risk situations (established with the support of the Municipality of Tirana and UNICEF Albania in 2011). This service provides accommodation, counselling, psycho-social support and general assistance for up to 11 days. Located on the premises of the House of Colors, the facility consists of five bedrooms with a total of 20 beds, strategically arranged to accommodate different groups, ensuring segregation by gender and age. Additionally, a dedicated room with a nurse is available to provide initial medical assessments and assistance.

Emergency child protection cases are dealt with by a specialist team of professionals, including a psychologist, a social worker and a case manager available 24/7. To address the specific needs of each case, this team coordinates safe transportation to essential destinations such as: health centers and police stations for interviews or other required procedures. In addition, the team facilitates liaison with the child protection worker and the police, providing comprehensive assistance tailored to the unique circumstances of each individual or family.

After a child victim is referred to Emergency Safe Shelter Services by Child Protection Officer, the police station or other relevant agencies, and after a stay of up to 11 days in the shelter (as usually determined by the cross-sectoral technical group), the cross-sectoral technical group decides whether the child victim should be accompanied to a residential care institution, a specialized shelter for VoT/PVoT. In cases where there have been positive changes in the family's conditions and no ongoing threats or risk factors are identified, the child can return to his home. The decision is made carefully, taking into consideration the best interest and safety of the child.

The emergency service offered by the ARSIS Initiative strictly respects the standards set for the Emergency Safe Housing Service, defined by the Ministry of Health and Social Protection with Instruction no. 354, dated 02.06.2022. At ARSIS, the Emergency Safe Housing Service operates on a national scale, meeting requests from the entire territory of the country. The service extends assistance in the following categories:

- Children aged 3-18 without parental care who need protection;
- Mothers accompanied by children aged 0-18 who require protection;
- Families (consisting of parents with children) facing specific conditions of civil emergencies or those returning from precarious migration;
- Unaccompanied and separated foreign children;

Adults, whether women or men without children, are not part of the competence of this service.

f. other.

Law no. 111/2017 "On legal aid guaranteed by the state", is one of the laws approved in the framework of the new reform in justice, the entry into force of which brought a deep reform of the legal aid system, bringing a new spirit in terms of organization, operation and provision of legal aid guaranteed by the state. The adoption of this law led to the drafting of a package of by-laws that regulate in detail every process for legal aid guaranteed by the state.

The main purpose of this law is to provide free legal aid to all categories, which, due to the conditions in which they are, find it impossible to receive this service. Special attention has been paid to the type of categories of beneficiaries, focusing on the expansion of the circle of subjects as well as the sanctioning of vulnerable groups as direct beneficiaries of the free legal aid system, where among them we mention potential victims of trafficking/victims of trafficking.

Law 111/2017, "On legal aid guaranteed by the state", in article 11/b, has already defined victims of human trafficking as special subjects who, regardless of their income, are direct beneficiaries of the primary and secondary legal aid. The primary legal aid service is provided by 20 Primary Legal Aid Service Centers, 15 Non-Profit Organizations (NPOs) authorized by the Minister of Justice and 12 Legal Clinics, which have a territorial scope, almost throughout the country.

The service of secondary legal aid is provided by lawyers, who have become part of the list of lawyers who provide secondary legal aid according to the Local Chambers of Advocacy and have individually signed a contract with the Directorate of Free Legal Aid, according to a procedure defined by a by-law on the selection method and the criteria they must meet to provide this service. This procedure is carried out every year. For 2023, 160 lawyers have offered secondary legal assistance.

The Directorate of Free Legal Aid, on a monthly basis, approves the Calendar of Awareness Activities with themes dedicated to the 12 (twelve) beneficiary categories of law no. 111/2017 and a series of activities have been developed within the framework of awareness of trafficking victims and potential victims of trafficking. These awareness-raising activities/campaigns aim to provide information and knowledge about the way, the procedure and the beneficiaries of the law to have access to justice through legal aid guaranteed by the state, accompanied by simplified manuals, posters and leaflets as well as cooperation with bodies competent for dealing with the issues of this target group.

Regarding the referral for auxiliary services such as health, legal, psychological, the centers have provided all the necessary services, based on agreements and cooperation contracts with state or private

institutions, which have continuously offered their contribution to the provision of assistance for victims of trafficking. All cases treated as VoT/PVoT at the centers have received all the services for their rehabilitation and reintegration.

Support services for victims of trafficking and potential victims of trafficking are provided by the government and NGOs operating in this field, having been licensed by the Ministry of Health and Social Protection and the National Business Center. Both actors, both state and non-state complement each other for missing services as the case may be or with higher expertise in certain aspects.

Law no. 111/2017, "On legal aid guaranteed by the state" in article 11, letter "b" for potential victims of trafficking/trafficking victims, provides direct access to justice by specifying them as a special category that benefits from free legal aid in three forms:

1. Primary legal assistance, which consists in providing information about the legal system of the Republic of Albania, the normative acts in force, the rights and obligations of the subjects of the law and the methods for exercising these rights in the judicial process and in that extrajudicial, providing advice, providing advice on mediation and alternative dispute resolution procedures, providing assistance in the drafting and compilation of documents necessary to set the state administration in motion or to request secondary legal assistance, representation before administrative bodies and providing all other forms of necessary legal support that do not constitute secondary legal aid.
2. Secondary legal aid (free lawyer), "Secondary legal aid" consists in the provision of legal services, for the compilation of the acts necessary to set the court in motion, the provision of advice, representation and defense before the court in administrative, civil matters and in criminal cases, for which mandatory protection does not apply, according to the provisions of the criminal procedural legislation.
3. Exemption from the payment of court fees and expenses (expert, psychologist, etc.) and exemption from the obligation to prepay the fee for the execution of the enforcement order.

Furthermore, the Directorate of Free Legal Aid keeps, collects, completes and administers the data of the register of requests and self-declarations of the subjects of this law from the providers of free legal aid, according to the rules and procedures approved by the Minister of Justice.

For the period January-November 2023, 88 subjects belonging to the category of victims of trafficking and potential victims of trafficking have benefited from the primary legal aid service, and during this period 34 activities/informative/awareness sessions were held for victims of trafficking and potential victims of trafficking at every stage of criminal proceedings.

## **25. How do you support the (re)integration of victims of THB? What processes are in place in your country to provide assistance to victims of THB exploited abroad after their return?**

There are four reception and reintegration centers in Albania. All offer services to potential victims of trafficking or victims of trafficking, foreign or local, children or adults, male or female and are as follows:

- National Reception Center for Trafficking Victims in Tirana, is under the competences of the Social State Service, is a national institution of high security, which offers the service for the reception and housing of victims of trafficking, local and foreign;
- Center "Different & Equal" in Tirana;
- The "Tjetër Vizion" center in Elbasan, specially dedicated to minors;
- Psycho-Social Center "Vatra" in Vlora.

Reception and reintegration centers offer a complete package of reintegration services. Reintegration services include: accommodation, security and reintegration plan; medical assistance; psychological help; psycho-social assistance; mediation/facilitation with the family of origin; assistance in education and school attendance; legal aid; professional training; employment training, counseling and employment support; social activities, counseling; service for economic empowerment including micro business grants; assistance for children of victims of trafficking; financial support and long-term accommodation; information on services available in the community and relevant contact information; continuous monitoring and supervision of program beneficiaries.

Centers that treat victims of trafficking offer services for VoT/PVoT, foreigners or locals, children, men or women. These shelters have trained staff to ensure the safety of victims. A shelter run by an NGO offers specialized services to victims younger than 18 and has rented apartments for male victims, where they have received help from NGOs.

In order to improve services in residential centers, during the second half of 2023, the Ministry of Health and Social Protection has started the process of revising the Standards of Residential Centers for Victims of Trafficking. During this process, the group of experts held meetings with the representatives of Anti-Trafficking Shelters and received data regarding the improvement of standards. It is expected that this process will be finalized in 2024.

The three non-governmental NGOs (Different & Equal, Psycho-Social Vatra Center and Tjetër Vizion) offer a complete package of reintegration services. Reintegration services include: accommodation, security and reintegration plan; medical assistance; psychological help; psycho-social assistance; mediation/facilitation with the family of origin; assistance for education and school attendance; legal aid; professional training; employment coaching, counseling and employment support; social activities, mentoring; services for economic empowerment including grants for micro-business; assistance for children of victims of trafficking; financial support and long-term accommodation; information on services available in the community and relevant contact information; continuous monitoring and supervision of program beneficiaries.

The reintegration program is divided into three phases, including emergency services, rehabilitation services and long-term services and monitoring during the social inclusion process:

#### Phase #1: Crisis Intervention and Accommodation

Initial assistance to victims is mainly about their accommodation in residential centers where the beneficiaries are provided with basic needs and crisis services - eg. accommodation, shelter, clothing, food, medical assistance, psychological assistance, professional training, 24-hour protection and security, family mediation, as well as preparation for the next stages of reintegration. In this phase, the beneficiaries, together with the staff (multidisciplinary team), draw up and follow their individual reintegration plans.

#### Stage #2: Transition stage including semi-independent living

Most of the beneficiaries are not able to go home due to mentality and social stigma, security reasons or are rejected by their families, so they are offered a full range of home assistance in preparation for independent living. The three NGOs offer apartments for rent to beneficiaries who are starting to make the important transition to 'normal' life. Adults are supported towards their economic independence - eg. After completing vocational training and holding a job for some time, they move out of the shelter and into centrally subsidized rental apartments. Placements in families of origin and alternative care settings are facilitated for minors. The center's staff monitor the progress of the beneficiaries in these halfway houses and families, offering regular psycho-social assistance.



### Phase #3: Re/integration and social inclusion

The support given to cases at this stage is their empowerment and gradual withdrawal from the program. This support consists of: providing reintegration assistance to the family and the community where the beneficiary lives; information on resources and services available in the community, assistance to beneficiaries in strengthening relationships with support institutions in the community where they live; and regular monitoring and follow-up of cases. The services offered to victims of trafficking are not conditional on the cooperation of the victims with the law enforcement bodies in the prosecution. All centers have continued to provide services for new and ongoing cases in the program, including male victims (community services).

The National Reception Center is funded by the state and provides rehabilitation and preparation for reintegration services including accommodation, security and reintegration plan; medical assistance; psychological help; psycho-social assistance; mediation/facilitation with the family of origin; assistance for education and school attendance; legal aid; professional training; employment counseling and support; social activities, mentoring; assistance for children of victims of trafficking long-term housing; information on services available in the community and relevant case information.

During the period of accommodation in reception centers, all cases are prepared to successfully cope with the reintegration phase. Referring to statistics throughout these years, the highest percentage of cases have been supported with certified professional courses, so that they can be integrated and empowered through employment, during their reintegration. For this, it cooperates closely with the Vocational Training Centers and employment offices in the districts. During the reintegration process, in order to monitor and evaluate VoT/PVoT cases (Phase #3), cooperation with other actors continues, such as: The Regional Directorate of State Social Services or other organizations that provide support after the victims leave the reception centers, enabling employment or economic support for them.

The ARSIS Initiative, continues to provide services to children at high risk and in need of protection, including children at risk of trafficking, during 2023, as follows:

- psycho-social service during the interview at the police station premises (in accordance with the cooperation agreement with the General Directorate of the State Police);
- the service of safe transportation of the child at risk to other services such as the court, the police department, residential service providers, hospital services, etc.;
- emergency safe housing service from 72 hours to 11 days (even more depending on the specifics of the case);
- services related to case management which include direct intervention, specialized services, health, educational, legal and family empowerment services. We clarify that case management services are offered not only for cases of children and families who are sheltered in the emergency service, but also for cases that are under management in cooperation with the structures of the child protection system.

In the cases assisted in the emergency service for 2023, a total of 57 cases were accommodated, where 10 are parents and 47 are children. Regardless of the reasons for the referral to the emergency service, from the work of the service team and the initial and in-depth assessment, 7 cases were identified which, regardless of the reason for the accommodation (road situation, domestic violence, etc.) resulted in indicators /risk elements as potential victims of trafficking. After the interview process and depending on the age, the minors are accommodated in specialized services for potential victims of trafficking or children without parental care.

In 2021, by decision of the Inter-institutional Committee for Measures Against Organized Crime, the distribution of a "Special Fund" created from the confiscated monetary values was realized. This fund

financed projects that focused on the provision of services, in order to meet the needs and reintegration of victims/potential victims of trafficking and victims of organized crime.

From the Special Fund were financed the projects for these centers:

- The National Reception Center for Victims of Trafficking in the amount of 3,400,000 (three million four hundred thousand) ALL;
- Center "Vatra" in the amount of 2,280,000 (two million two hundred and eighty thousand) ALL;
- "Different and Equal" Center in the amount of 2,280,000 (two million two hundred and eighty thousand) ALL
- Initiative for social change "ARSIS" in the amount of 2,280,000 (two million two hundred and eighty thousand) ALL.

Also, in 2023, two confiscated apartments in the city of Tirana with an area of 80.6 m<sup>2</sup> and 82.4 m<sup>2</sup>, were given to the use (without rent) of the ARSIS Initiative, in which emergency services are provided for mothers and children in street situations.

The Standard Operating Procedures for the protection of victims and potential victims of trafficking (DCM no. 499, dated 29.08.2018) provide "Planning and Support for Rehabilitation and Re/integration". Planning and Support for Rehabilitation and Re/integration of VoT/PVoT is the set of actions taken by the employees of state and non-state institutions responsible for the protection of trafficked persons at the borders and within the territory of the RA, as well as those of local institutions, as well even the central ones (in particular the members of the Responsible Authority). These actions include at least: 1. in-depth assessment of the needs of trafficked persons; 2. drawing up support plans; 3. direct assistance for the rehabilitation and re/integration/empowerment of the trafficked person; 4. informing the Responsible Authority about the progress of the support.

Also, the SOPs provide for the "Reception of trafficked persons with Albanian citizenship", specifying the actions of the institutions/agencies charged with the protection of trafficked persons that ensure the reception of trafficked/potential trafficked persons with Albanian citizenship and the continuity of protection, as well as "Planning and Support for Assisted Voluntary Return".

"Planning and Support for Assisted Voluntary Return", is the set of actions undertaken by the employees of state and non-state institutions responsible for the protection of trafficked persons at the borders, inside and outside the territory of the Republic of Albania, as well as those of local institutions, as well even the central ones (especially the members of the Responsible Authority) which makes possible the safe, voluntary and assisted return of a trafficked person with foreign citizenship to the country of origin. These actions should include at least: 1. assessment of the situation of persons in the country and family of origin before return; 2. informing the person and his/her guardian about the assessment; 3. making the return decision in the best interest of the child/trafficked person; 4. taking measures so that the return is assisted/safe; 5. ensuring that trafficked persons will not be prosecuted in their country of return; 6. ensuring the continuity of treatment of the trafficked person in accordance with his/her needs; 7. prevention of re-victimization/falling prey to trafficking; 8. ensuring criminal prosecution of traffickers and compensation of trafficked persons.

**26. If there is a provision in your country's law that provides for the possibility of issuing a residence permit owing to the victim's personal situation, how is this interpreted in practice? Please provide examples.**

Article no 53 of the law no. 79/2021 "For foreigners" provides for the issuance of residence permits for victims of human trafficking. According to this provision:

1. The local authority responsible for the border and migration provides a temporary residence permit of type "A" to the foreigner who is a victim or potential victim of trafficking even if the conditions set out in Article no. 33 of this law or other general criteria set out in this law are not met.
2. The residence permit, issued for this reason, serves only for the stay of the foreigner and does not enable re-entry into the territory of the Republic of Albania in case the foreigner leaves the territory. The residence permit for this reason is issued for a period of 1 year and is renewed only in cases when:
  - a) it is assessed that his / her position does not pose a threat to public and national security.
  - b) it is assessed that there is a clear will of the person to cooperate with the judiciary during the investigation or criminal proceedings.
  - c) is awaiting a status assessment by the competent authorities.
3. The foreigner, who is granted a temporary residence permit according to points 1 and 2 of this article, enjoys the rights to stay and move within the territory of the Republic of Albania, guaranteed as for foreigners who have a temporary residence permit, according to the regular procedures. He/she cooperates with the bodies responsible for establishing his identity, but the lack of evidence proving his identity is not sufficient as a basis for refusing to issue a temporary residence permit. The foreigner shall receive health care, financial assistance, support, as well as the right to work if he / she is entitled to, according to the legal provisions in force.
4. The local authority responsible for border and migration shall provide the alien with a temporary type "A" residence permit valid for three months, regardless of his/her willingness to collaborate with justice, where there are reasonable grounds to believe that the alien is a victim or potential victim of trafficking, identified as such by the competent entities for the identification and referral of the victims of trafficking. This residence permit shall be issued to the victim or potential victim of trafficking to ensure that s/he recovers and receive treatments suitable to the proper physical and mental state, to enable him/her to make a well-informed decision on whether to collaborate with the justice bodies.
5. During the time of recovery and reflection, the victims or potential victims of trafficking shall enjoy every right and benefit every service of the victims of trafficking, in accordance with the applicable Albanian laws.
6. The residence permit issued for the period of recovery and reflection may be revoked if there is evidence proving that the victim or potential victim of trafficking has obtained or claimed the status unjustly, has actively, by his/her own will and/or at his/her own initiative re-established relations with the individuals suspected of human trafficking, or his/her stay in the territory is deemed to be a threat to national security. When the residence permit issued for the time of recovery and reflection is revoked, it shall be communicated to the victim or potential victim of trafficking in writing, in a language that s/he understands, informing him/her of the grounds for the said revocation, except when the residence permit is suspended on national security grounds.
7. Foreigners who have the status of the potential victim of trafficking are entitled to employment without prior authorisation by NAES, whilst the employer shall notify of the establishment of employment relations.
8. Authorities responsible for border and migration shall renew the type "A" residence permit for the alien who is victim of trafficking in the Republic of Albania, identified as one by the competent entities for the identification and referral of the victims of trafficking, in either or both of the following situations:

- a) finds that his/her stay is necessary because of the social and personal situation;
- b) appreciates that his/her stay is not necessary for purposes of collaboration with the justice bodies in the course of an investigation or legal proceedings.

9. Issue of the residence permit shall not be conditional upon the existence of sufficient funds for the victim to cover expenses incurred during the stay or on the missing identification documents of the victim or potential victim of trafficking.

According to this law, DCM no. 858, dated 29.12.2021, was approved, "On determining the criteria, procedures and documentation for the entry, stay and treatment of foreigners in the Republic of Slovenia", where, specifically, in Chapter III/B it is determined that one of the documents and conditions that the foreigner must fulfill, in order to apply for a residence permit, is also the document that proves suitable accommodation/purchase or rental contract of the apartment, in accordance with the housing standards in Albania.

For the year 2019-2023, with the mediation of the Responsible Authority and the National Reception Center for Trafficking Victims, 5 foreign VoT/PVoT have been provided with residence permits;

In 2019-2021, with the mediation of the Responsible Authority and the "Diverse and Equal" center, 2 foreign VoT/PVoT were provided with residence permits;

In 2023, with the mediation of the Responsible Authority and the "Vatra" center, 2 potential foreign victims of trafficking were granted residence permits.

**27. What measures are in place to ensure that the identity, or details allowing the identification, of a child victim of trafficking are not made publicly known?**

The domestic legislation has provided, that when we are dealing with cases of VoT/PVoT, the names of the victims are not given under any circumstances, and only their initials are given in the police communiques, this is because the investigation or the actions should not be debunked further procedurally. It does not happen that the names of VoT/PVoT become known in the visual media. Specifically: Article no. 58/a of the Code of Criminal Procedure provides for the rights of the minor victim:

1. A minor, a victim of a criminal offense, in addition to the rights provided for in Article 58 and other provisions of the Code of Criminal Procedure and special legislation for minors, has the right:

- b) Confidentiality of his/her personal data.

Article 340 of the Code of Criminal Procedure provides for cases of closed sessions:

2. The session is always held behind closed doors in cases where:

- b) The trial of adult defendants who are accused of criminal offenses committed against minor victims, regardless of the age of the victim during the trial process.

Law no. 37/2017 "Code of Criminal Justice for Minors" provides in article no. 21 "Protection of the private life of minors"

1. The minor's right to private life is fully respected at every stage of criminal justice for minors, taking care to avoid harming him.
2. No information is published that could lead to the identification of a minor in conflict with the law, a minor victim or a witness to a criminal offense.

In point 2 of article 17 "Freedom of private life" of the Law "On the Rights and Protection of the Child" it is determined that: The privacy of the child is protected in all situations, including those within the family, health care institutions, social and services . This right includes the privacy of relationships and communications with others, the right to confidential counseling, control of access to information stored about children in relevant files.

In Article 16 "Retention and Reporting of data" of the Decision of the Council of Ministers no. 578, dated 3.10.2018 "On the referral and case management procedures, the design and content of the individual protection plan, the financing of expenses for its implementation, as well as the implementation of protection measures" the obligation for confidentiality and preservation of personal data is provided. This obligation extends to all persons and institutions involved in the process of managing the case of a child in need of protection. Also, point 3 of this article states that "Each member of the cross-sectoral Technical group, involved in the management of the case, signs a declaration to maintain confidentiality at the first meeting."

Employees of any structure, on the front line, who receive reports on cases of children at risk, including VoT/PVoT children, and those who follow up on the reported case, have the obligation to maintain the confidentiality of the case and the protection of the child's personal data. and of the person suspected of abuse.

## **28. What measures are in place aimed at encouraging the media to protect the private life and identity of victims?**

In July 2023, the Broadcasting Code of the Audiovisual Media Authority (AMA) was adopted, which contains the basic principles of broadcasting and regulates audio and audiovisual activity, almost in its entire range. The new Broadcasting Code is enriched with new principles and rules that include the promotion of gender equality, the prevention of gender discrimination and the fight against sexism in audiovisual media; preventing hate speech, radicalism and violent extremism; protecting the best interests of children in all types of broadcasts; better protection of human rights and freedoms, regardless of social status or position; protection of the rights and access of persons with disabilities to audiovisual media, as well as the protection of privacy and personal data.

The Broadcasting Code contains 11 Sections, up from 8 previously. The section "Fight against discrimination and promotion of gender equality" as well as "Prevention and fight against hate speech in audiovisual broadcasts" are included for the first time in this Code. While the existing sections have been enriched and expanded, which is closer to the goal that the Broadcasting Code has, that of ensuring the independence and impartiality of the activity of audio and audiovisual entities in Albania. <https://ama.gov.al/ama-miraton-kodin-e-ri-te-transmetimit/>

Police structures frequently and periodically conduct meetings and trainings with the visual media that operate in our country, to inform in every case that the victim is one of the most vulnerable persons, both with the media and with family relations.

**29. Have there been cases of diplomatic households (of your country's diplomats abroad and of foreign diplomats in your country) employing domestic staff in conditions which could be forced labour or human trafficking? If yes, how was the issue of diplomatic immunity addressed? How were the victims identified, assisted and protected?**

No, there were no cases.

**30. What specific steps are taken in your country to identify victims of THB amongst persons recruited and exploited by terrorist/armed groups?**

Albania, like many other countries, has taken a number of measures to comply with international resolutions against terrorism and to prevent the recruitment of terrorist fighters who travel abroad to join organizations in conflict zones such as Syria. For this reason, in 2020, the cross-sectoral strategy for the prevention of violent extremism and the fight against terrorism 2021-2025 and the action plan 2021-2023 were approved (DCM no. 1137, date 16.12.2020). The purpose of this document is to guide policies and strengthen the comprehensive approach to prevention, protection, prosecution and response to terrorism. The strategy defines the strategic objectives that protect the fundamental values and groups them into four priority areas or approaches:

1. Prevention of terrorism, violent extremism and radicalization leading to terrorism;
2. Protection by detecting and eliminating threats of terrorism and system weaknesses;
3. Criminal prosecution of terrorists, respecting human rights, the rule of law and democracy;
4. System response in case of a terrorist attack.

Based on the data available to the Responsible Authority, results that there was no case of a possible victim or victim of trafficking, identified among the persons recruited or exploited by terrorist groups.

**31. Are there requirements in your country's legal framework for the detection and removal of THB-related Internet content, and what are the sanctions for non-compliance? Is there a code of conduct for providers? If a person is detected as a presumed victim of THB in the process, how is this person referred to assistance?**

In the General Directorate of the State Police, the Directorate for the Investigation of Cybercrimes exercises its activity, which contributes to the protection of minor children for the prevention, prosecution and investigation of cybercrimes against children in the cyberspace.

There are occasional requests related to the discovery and removal of materials with unethical content in accordance with the legislation in force, but there is no specific structure, which deals only with cases and the discovery of human trafficking.

If a person is detected as a presumed victim of THB in the process, how is this person referred to assistance?

If a person is identified as a VoT/PVoT during the process of investigating crimes through computer networks, then the SOPs are applied and the materials are referred to the prosecutor's office, as well as it is required to carry out verifications of the data from which operator or computer network the data was sent and more behind is the prosecutor who directs the investigation.

**III. INVESTIGATION, PROSECUTION, SANCTIONS AND MEASURES (Articles 4, 18, 19, 23, 24, 27, 28 and 30)**

**32. Is the abuse of a position of vulnerability part of the human trafficking offence in your country's law? How are the concepts of "vulnerability" and "abuse of a position of vulnerability" defined in law? Have they been subject to judicial interpretation? If yes, please provide relevant case-law.**

In the Criminal Code of the Republic of Albania there are two provisions that expressly criminalize human trafficking, article 110/a "Trafficking of adults" and article 128/b "Trafficking of minors", with the following content:

Article 110/a "Trafficking of adults" (Added by law no. 8733, dated 24.1.2001; amended by law no. 9188, dated 12.2.2004; amended the title, the words in the first paragraph and the third paragraph and added paragraph second by Law No. 144, dated 2.5.2013; repealed the part that provides for the penalty of fine, as the main penalty, in addition to imprisonment, by law No. 144, dated 2.5.2013).

"Recruitment, transportation, transfer, harbouring or reception of persons through the threat or use of force or other forms of coercion, kidnapping, fraud, abuse of power or benefit from social, physical or psychological condition or giving or receiving payments or benefits for obtain the consent of the person who controls another person, for the purpose of exploiting the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or forms similar to slavery, the use or transplantation of bodies, as well as other forms of exploitation, both inside and outside the territory of the Republic of Albania, are punished with imprisonment from eight to fifteen years.

If this offense is committed against an adult female person, it is punishable by imprisonment from ten to fifteen years.

The organization, management and financing of human trafficking is punishable by imprisonment from seven to fifteen years.

When this offense is committed in collaboration, more than once, is accompanied by mistreatment and coercion with physical or mental violence against the injured party, to perform various actions, brings serious consequences to health, or endangers his life, is punished with imprisonment not less than fifteen years.

When the offense resulted in the death of the victim, it is punishable by imprisonment of not less than twenty years or life imprisonment. When the criminal offense is committed through the use of state function or public service, the prison sentence is increased by  $\frac{1}{4}$  of the given sentence".

Article 128/b Trafficking of minors (Added by law no. 8733, dated 24.1.2001, amended by law no. 9188, dated 12.2.2004; added by law no. 9859, dated 21.1.2008; the words in the amended paragraph first with Law No. 144, dated 2.5.2013; repealed the part that also provides for a fine, as the main penalty, in addition to imprisonment, with Law No. 144, dated 2.5.2013)

"Recruitment, sale, transportation, transfer, harbouring or reception of minors for the purpose of exploitation of prostitution or other forms of sexual exploitation, forced labor or services, slavery or forms similar to slavery, use or transplantation of organs, as well as other forms of exploitation, are punished with imprisonment from ten to twenty years.

Organizing, directing and financing the trafficking of minors is punishable by imprisonment from ten to twenty years. When this offense is committed in collaboration or more than once, or is accompanied by the mistreatment and coercion of the victim with physical or mental violence, to perform various

actions, or has serious consequences for health, it is punished with imprisonment of not less than fifteen years.

When the offense resulted in the death of the victim, it is punishable by imprisonment of not less than twenty years or life imprisonment.

When the criminal offense is committed through the use of state function or public service, the prison sentence is increased by  $\frac{1}{4}$  of the given sentence".

From the content of the provisions cited above, the concepts of "vulnerability" and "abuse of the position of vulnerability" are reflected, according to the definition in the international acts. Specifically, the first paragraph of Article 110/a, among the means for realizing the trafficking of adults, qualifies by benefiting from the social, physical or psychological condition of the victim (vulnerable position).

Whereas article 128/b is related to the trafficking of minors, who are more vulnerable than adults and are therefore more at risk of becoming victims of human trafficking.

Furthermore, for the unification of judicial practice, the Criminal College of the Supreme Court issued unifying decision no. 00-2022-1679 Decision (217) dated 27.07.2022 regarding human trafficking, which, among other things, provides for the concepts of "vulnerability" and "abuse of the position of vulnerability", emphasizing that the courts and the prosecution must have attention that people living in a social or family environment with economic, financial, personal or psychological problems should be treated very carefully, as potential victims of trafficking. So, in the Albanian criminal legislation, as well as in the unifying decision of the Supreme Court, the abuse of the position of vulnerability/vulnerable position is foreseen as one of the ways traffickers use to achieve their goal. <https://www.gjykataelarte.gov.al/sq/vendimet-e-gjykates>

Also, point 31, of article 3 "Definitions" of the Law on foreigners" defines that: "Vulnerable persons" are foreign minors, unaccompanied minors, persons with disabilities, the elderly, pregnant women, single parents with minor children, as well as persons who have been subject to torture, rape or other forms of serious psychological, physical and sexual violence, migrants who, due to their specific situation, are unable to enjoy the rights theirs and are in particularly delicate conditions, such as domestic workers, migrants with certain sexual orientations, migrants in serious health conditions and those with disabilities.

### **33. Is the special vulnerability of the victim considered as an aggravating factor for the offender's sentence?**

Article no. 50 of the Criminal Code, letter "e", provides aggravating circumstances: "e) when the offense is committed against children, pregnant women or other persons, who for various reasons cannot be protected. According to the Code, the special vulnerability of the victim (the offense is committed against children, pregnant women or other persons who for various reasons cannot be protected) is considered as an aggravating factor for the punishment of the perpetrator.

### **34. According to national case-law, what forms of vulnerability are mostly abused by offenders in human trafficking cases? Please provide specific examples that show how the concept of "abuse of a position of vulnerability" is used in practice. What are the challenges in its application? Is it sufficient to prove the existence of a position of vulnerability of the victim, or must it also be proven that the defendant knew or should**



**have known of the victim's vulnerability, and intentionally manipulated the victim on this basis?**

According to the statistical indicators of the Office of Statistics at the General Prosecutor's Office, the most prominent form for which more cases have been registered is trafficking for the purpose of sexual exploitation; abuse is related to different situations of the victim. In the case when the victims are adults, the victim's consent or will does not affect the definition of the criminal offense, since the perpetrator of the abuse uses the means (which are provided for in the provision) to achieve the goal, i.e. trafficking. During the investigation, the means used by the perpetrator to manipulate the victim in order to traffic her must be proven.

Forms of vulnerability are mainly used by offenders, taking advantage of the social, physical or psychological condition of the victim, for example: families with socio-economic problems (poor, unemployed, uneducated), divorce, domestic violence, sexual abuse in the family, persons with disabilities, persons with mental health problems, minors without parental care, persons addicted to alcohol and drugs, etc.).

The legislator has elaborated by defining the social, physical or mental state, but it can also be emotional, family, economic and even related to the tradition or culture of the family or ethnic affiliation of the victim. The situation may also refer to the foreign victim's irregular status, economic dependence on the trafficker, health problems or other difficult circumstances that force him to accept exploitation.

The criminal offense provided by Article 110/a of the Criminal Code is considered fully committed, when one of the actions, one of the forms and the purpose of exploiting the victim is proven.

In the case of adult trafficking, the consent or willingness of the victim to engage in prostitution or other forms of exploitation does not affect the determination of the criminal offense as long as it is proven that one of the forms referred to in the specific criminal provision for achieving the purpose of the article (forms in cases of human trafficking are: fraud, use of force, kidnapping, threat or use of other forms of coercion, abuse of duty or benefit from social, physical or psychological condition, etc., - elements these that must be judged in the case of adult trafficking).

In the criminal offense "Trafficking of minors", due to the legal definition of the offense, it is enough to prove the existence of one of the forms of trafficking such as: recruiting, selling, transporting, transferring, hiding or harboring minors, in order to use it. Whereas, the will or consent of the minor victim of trafficking, in relation to the intended exploitation, has no value, regardless of the circumstances or the way in which it was carried out.

**35. Is the concept of "abuse of a position of vulnerability" addressed in criminal justice training? Is there any specific guidance on applying this concept? Please provide copies of guidance and/or training materials that shed light on how this concept should be applied in practice.**

The School of Magistrates, based on the Continuing Education Program, organizes trainings with prosecutors, judges, coordinators, judicial police officers, psychologists, etc. Below you will find the trainings organized during the reporting period, the number of participants in topics dealing with trafficking issues, the vulnerable position of certain subjects, and other issues that are included in the scope of GRETA's recommendations:

1.	<u>6-7 February 2019</u>	Human trafficking. Prosecution and criminal trial of human trafficking offenses in accordance with the innovations in the Code of Criminal Procedure. The rights of the victim of trafficking during the criminal process.	20 participants (14 judges, 5 candidates for magistrates, 1 psychologist)
2.	<u>25-26 March 2019</u>	Implementation of the law no. 10192, dated 3.12.2009, "On preventing and combating organized crime, trafficking, corruption and other crimes through preventive measures against wealth", as amended, and its innovations; Investigation, seizure and confiscation of criminal assets. The process of proving and shifting the burden of proof. New additions and changes.	12 participants (5 judges, 7 prosecutors)
3.	<u>21 February 2020</u>	Trafficking in human beings, national and international law and practice.	26 participants (5 judges, 6 prosecutors, 15 judicial police officer)
4.	12 January 2021	Specifics of the process of interviewing minors aged 14-18 years and minor victims/witnesses under 14 years of age in investigation and trial. The concept of repeated victimization. Special rules for questioning minors who are victims and/or witnesses of sexual exploitation or sexual violence. The balance for guaranteeing the participation of the minor victim in the proceedings and for guaranteeing the protection of the private life and well-being of the minor victims and witnesses.	19 participants (2 judges, 8 prosecutors, 9 judicial police officer)
5.	8-9 February 2021	Criminal investigation techniques: - Cyber crimes; - Computer falsifications, interference in computer data.	18 participants (9 prosecutors, 9 judicial police officer)
6.	16-17 February 2021	Practical approach to the technique of interviewing minors during investigation & trial.	13 participants (5 judges, 6 prosecutors, 2 judicial police officer)
7.	16-17 February 2021	Mediation in criminal cases and implementation of mediation under the Juvenile Justice Code. Alternative criminal punishments against minors in conflict with the law according to the Juvenile Justice Code, their types and treatment in a comparative view with the alternative punishments applied to the major subject according to the Criminal Code.	11 participants (7 judges, 2 prosecutors, 2 judicial police officer)
8.	19 February 2021	Online sexual exploitation of minors and methods of investigation. Cases of judicial practice. Problems and	20 participants (4 judges, 6 prosecutors, 10 judicial police officer)

		challenges in the fight against sexual exploitation of minors.	
9.	22-23 February 2021	To protect child victims through Restorative Justice. <i>Online course</i>	1 participant (1 judge)
10.	25 February 2021	Peculiarities of Criminal Justice for damaged parties. Their nature and purpose.	12 participants (6 judge, 6 prosecutors)
11.	25-26 February 2021 and 11-12 March 2021	To protect child victims through Restorative Justice. <i>Online course</i>	2 participants (1 judge, 1 prosecutor)
12.	1-2 March 2021 and 25-26 March 2021	To protect child victims through Restorative Justice. <i>Online course</i>	6 participants (2 judges, 1 prosecutor, 3 candidates for magistrates)
13.	7 April 2021	Types of measures to avoid criminal prosecution against minors in conflict with the law (theoretical and practical treatment). Positive practices and problems identified by courts and prosecutors in this regard. The need for unification of the models of procedural acts applicable to the granting of avoidance measures. Failure to comply with alternative measures to avoid criminal prosecution and legal consequences. Legal procedures and competent monitoring bodies of avoidance measures. Mediation in criminal cases and implementation of mediation under the Juvenile Justice Code. The role of the prosecutor's office and the court in the implementation of victim-violent mediation.	9 participants (3 judges, 2 prosecutors, 4 judicial police officer)
14.	4 May 2021	Human trafficking. Innovations in criminal legislation. Support of victims of trafficking during the criminal process.	12 participants (3 judges, 7 prosecutors, 2 judicial police officer)
15.	5-6 May 2021	The "minor" victim in the criminal process. His rights and guarantees throughout all stages of criminal proceedings. The special rules of questioning the minor victim or witness and the role of the psychologist. Interviewing the minor victim and the stages of this process. Analysis of domestic and international jurisprudence.	16 participants (5 judges, 7 prosecutors, 4 judicial police officer)
16.	11 May 2021	Human trafficking. Innovations in criminal legislation. Support of victims of trafficking during the criminal process.	12 participants (6 judges, 6 prosecutors)

17.	2 June 2021	The legal criteria and the specific procedure for the application of "Release on condition" of minors in conflict with the law. Differences in the implementation of the Institute of "Release on condition" towards adult convicts and minors in conflict with the law. Substitution of the uncompleted part of the sentence as an innovation in criminal legislation for juvenile justice. Jurisprudence of the Supreme Court. Conditional release of those sentenced to life imprisonment (Standards of the European Court for Human Rights; Comparative aspect with other countries.	34 participants (17 judges, 12 prosecutors, 5 judicial police officer)
18.	23 June 2021	Trafficking of minors. Methods of investigating the trafficking of minors. Applicable international and national legal framework. Evidence of the forms of the crime of trafficking. The jurisprudence of the ECtHR on the issues of trafficking of minors. Problems and challenges in the fight against trafficking of minors. Protection against enforced disappearances.	24 participants (8 judges, 8 prosecutors, 8 judicial police officer)
19.	1-2 July 2021	Personal security measures against minors in conflict with the law, especially the special measures for minors, the comparative treatment of their implementation throughout the years 2018-2020 with reference to domestic and international jurisprudence.	26 participants (11 judges, 7 prosecutors, 8 judicial police officer)
20.	11-12 October 2021	The role of prosecutors and judges in the execution of evasion, criminal sentences against minors. Practical approaches to interviewing juveniles during investigation and trial.	16 participants (5 judges, 8 prosecutors, 3 specialists)
21.	28 February 2022	Online sexual exploitation of minors and methods of investigation. i) the new criminal offenses of grooming, cyberbullying, cyberharassment and revenge porn; ii) the role of social networks and the age of access to these networks. Cooperation with online platforms and companies operating in this field; iii) special investigation techniques of these offenses (even those not included in the Code) iv) reporting and assistance to victims of online exploitation. Jurisdictional problems.	18 participants (4 judges, 6 prosecutors, 2 legal advisors, 3 judicial police officer, 3 candidates for magistrates)

22.	26-27 May 2022	Human trafficking. Subtopics: - Procedural position and support of victims during the trial of trafficking cases. Interviewing victims. - Compensation for victims of human trafficking. - The highest interest of the child victim of trafficking.	18 participants (5 judges, 7 prosecutors, 5 judicial police officer, 1 candidate for magistrates)
23.	30 November 2022	Mainly the initiation of criminal proceedings and the independence of the prosecutor. Legal framework. The cases and the procedure followed for the registration of the proceedings mainly. International standards and good practices.	45 participants (2 judges, 35 prosecutors, 3 judicial police officer, 5 legal advisors)
24.	26 June 2023	Trafficking in human beings, adults and minors. Applicable international and national legal framework and forms of committing the crime of trafficking. Methods, special techniques in conducting trafficking investigations and instruments of mutual legal assistance in the function of the investigation. Specifics of interviewing minors, victims of trafficking	13 participants (2 judges, 5 prosecutors, 5 judicial police officer, 1 psychologist)

### **36. What procedures and measures exist in your country to take into account the specific needs of vulnerable victims at the different stages of criminal proceedings?**

The code of Criminal Procedure, in Article 58 "Rights of the victim of a criminal offense" (Added point 3 by law no. 8813, dated 13.6.2002 and amended by law no. 35/2017, dated 30.3.2017) provides:

1. The victim of a criminal offense has the right:

- a) request criminal prosecution of the guilty party;
- b) to benefit from medical care, psychological assistance, counseling and other services provided by the authorities, organizations or institutions responsible for assisting victims of criminal offences;
- c) communicate in her own language and be assisted by a translator, sign language interpreter or communication facilitator for persons with speech and hearing disabilities;
- d) choose a defense attorney and, when appropriate, receive free legal aid, according to the legislation in force;
- e) to request information on the state of the proceedings at any time, as well as to familiarize himself with the documents and evidence, without violating the principle of investigative secrecy;
- f) to request the taking of evidence, as well as to submit other requests before the proceeding body;
- g) to be informed about the arrest of the accused and his release, under the conditions specified in this Code;
- h) to be notified of the non-start of the proceedings, the suspension of the case, the beginning and the end of the trial;
- i) file an appeal in court against the decision of the prosecutor not to start the proceedings and the decision of the prosecutor or the judge of the preliminary session to dismiss the charge or the case;
- j) to request compensation for damages and to be accepted as a civil plaintiff in the criminal process;

- k) to be exempted, under conditions set by law, from paying any expenses for obtaining documents and court fees for submitting a claim-lawsuit related to the status of a victim of a criminal offense;
- l) to be called to the preliminary session and the first court session;
- m) to be heard by the court, even when none of the parties requested to be called as a witness;
- n) to exercise other rights provided by this Code.

2. The prosecuting body immediately notifies the victim of the rights mentioned in paragraph 1, of this article, and keeps a record of their notification.

3. The victim who does not have the ability to act, exercises his rights through his legal representative or guardian, except when this is not in the interest of the victim. When it notices incompatibility between the interests of the victim and those of the legal representative or guardian, the court appoints a special guardian, in accordance with the provisions of the Family Code.

4. The heirs of the victim have the rights provided for in letters "a", "e", "ë", "f", "g" and "j", of paragraph 1, of this article. If the heir of the victim is a minor, he is represented by the legal guardian.

Article 58/a of the Code of Criminal Procedure provides the rights of the minor victim.

1. The minor victim of the criminal offense, in addition to the rights provided for in Article 58 and other provisions of this Code and the special legislation for minors, has the right:

- a) to be accompanied by a person trusted by him;
- b) maintaining the confidentiality of personal data;
- c) request, through the representative, that the trial take place without the presence of the public.

2. The prosecuting body must treat the minor victim of the criminal offense keeping in mind the age, personality and other circumstances, in order to avoid harmful consequences for her future development and education.

3. If there is a possibility that the victim is a minor and the age of the victim is not known, it is presumed that she is a minor.

4. The minor victim is questioned without delay by specialized persons for this purpose. When it is possible and appropriate, the conversation is recorded by audiovisual means, according to the provisions of this Code. This recording can be used as evidence in criminal proceedings and is evaluated together with other evidence, according to the criteria provided by paragraph 4 of Article 361/a of this Code. When the minor victim is under 14 years old, the conversation takes place in environments adapted for him.

Article 58/b provides for the rights of the sexually assaulted victim and the victim of human trafficking. In addition to the rights provided for in articles 58 and 58/a of this Code, the abused victim sexually abused and victims of human trafficking also have the right to:

- a) be questioned without delay by a judicial police officer or prosecutor of the same gender;
- b) refuse to answer questions about private life, which is clearly unrelated with the criminal offense;
- c) request to be heard through audiovisual means, according to the provisions of this Code.

Furthermore, in accordance with the legal provisions, in all prosecutor's offices of general jurisdiction, the coordinators continue to exercise their functions for the assistance of victims, including victims of trafficking. In this area, the implementation of the tasks of the coordinators defined in the General Instruction no. 5, dated 26.10.2018 of the Prosecutor General, which includes the letter of the rights of the victim, as well as other acts related to informing the victims of trafficking related to the progress of the criminal process.

**37. If you have criminalised the use of services of a victim of THB, how is this provision applied in practice? Please provide any relevant case-law.**

The use of human services is criminalized in our country, this is foreseen in the Criminal Code of the Republic of Albania, article 110/b. In this article it is stated that: "Benefiting or using services provided by trafficked persons, or services that are the object of exploitation by trafficking, knowing that the person is trafficked is punishable by imprisonment from two to five years."

When this offense is committed against a minor, it is punishable by imprisonment from three to seven years."

There was no case law.

**38. What technology-based tools and initiatives exist in your country to support investigations and enhance prosecution of THB cases? What training is provided to law enforcement officials, prosecutors and judges on THB facilitated by information and communication technology?**

Special attention has been paid to capacity building in the fight against cybercrime, electronic evidence and other related crimes. Despite the fact that the topics are not directly about human trafficking facilitated by the Internet or information technology, these trainings serve the investigation of any criminal offense. The trainings/meetings conducted by the General Prosecutor's Office are as follows:

- Training on the topic, "Increasing the response of justice structures on the identification of evidence in the cases of investigation of human trafficking in Southeast Europe", organized on April 4-6, 2023 in Skopje, with the participation of a prosecutor;
- Training on "Strengthening the capacities of law enforcement and prosecution in Albania and cooperation between agencies in the fight against human trafficking", organized by the OSCE in Tirana on March 2, 2023, with the participation of 3 prosecutors;
- In the framework of cooperation with the EU4LEA project, a delegation with representatives of the General Prosecutor's Office, SPAK, the Ministry of Interior, the State Police, etc., participated in an official visit held in The Hague, the Netherlands on September 27-29, 2023 in headquarters of Europol and Eurojust, as part of the work plan for the 3rd phase of the project, "Increasing the operational capacities of SPAK, State Police, General Prosecutor Office the investigation and prosecution of organized crime, illegal traffic, corruption high level and the environment";
- In the framework of the EU4FOCAL Project, the activity "Training on cybercrime and e-evidence" was organized on May 9-10, in Lisbon, Portugal and on September 28-29 in Sofia, Bulgaria with the participation of a prosecutor;
- The high-level summit on the fight against cybercrime in Eastern Europe, organized in Croatia on May 21-23, 2023, with the participation of two prosecutors;
- Training related to cybercrime, organized by iProceeds, on April 11-12 in Vienna, with the participation of a prosecutor.

The coordinators of the victims in the General Prosecutor's Office have been referrers/leaders within the national month of human trafficking, organized in the premises of the American Corner with the group of young people, for obtaining knowledge about human trafficking. The victim coordinators in the prosecutor's offices of the judicial districts have participated in several trainings with topics related to human trafficking, as follows:

- Training on the topic: "Increasing the engagement of young people and local institutions in the prevention of human trafficking and the protection of victims", organized by the Vatra Psycho-Social Center with the participation of the victim coordinators of the first-degree prosecutions of the jurisdiction of general;

- Training on the topic: "The fight against cybercrime" among young people and minors, part of the RAYS project of the United Kingdom with the participation of victim coordinators of prosecutions at the courts of first instance of general jurisdiction

The School of Magistracy during 2023 has developed the following trainings:

- January 2023, the training on "Online sexual exploitation of minors and methods of investigation" was held, where 10 prosecutors and 6 judicial police officers participated;
- June 2023, the training on "Trafficking in human beings" was held, where 5 prosecutors and 5 judicial police officers participated.

Regarding training, see question 35 above.

**39. In what ways, if any, does your country utilise provisions from the Council of Europe Cybercrime Convention (Budapest Convention) to fight THB? If not, why is that the case?**

With the law no. 8888, dated 25.4.2002 For the ratification of the "Convention on crime in the field of cybernetics", the Republic of Albania has ratified the Budapest Convention and with the law no. 9262, dated 29.7.2004, "On the ratification of the additional protocol of the convention on cybercrime, on the penalization of acts of a racist and xenophobic nature committed through computer systems", made its additional protocol part of domestic legal order.

In order to reflect the commitments of these acts, amendments were approved in the Criminal Code with the law no. 10023/2008 and no. 10054/2008. In the Code, computer criminal offenses have been added to the head and separate sections by attaching to other provisions, based on the legal object they protect.

Based on Article 122 of the Constitution of the Republic of Albania, any ratified international agreement is part of the internal legal system and is directly applied, except in cases where it is not self-enforceable.

## **Part II – Country-specific follow-up questions**

**40. Please provide information on measures taken in your country in respect to the following recommendations made in GRETA's previous reports:**

- ☐ adopt measures to facilitate and guarantee access to compensation for victims of THB;

With the Decision of the Council of Ministers no. 736, dated 13.12.2023, the "Guide for the rule of law" was approved. The roadmap is the document of state policies, the opening milestones of the first group chapter "Fundamentals" (Chapter 23 and 24), within the negotiations for membership in the European Union. The period of implementation of this DCM is 2024-2030. In chapter 24 "Freedom and security of justice, point 5: Trafficking in human beings, under the "Performance" pillar, is foreseen the measure: Improved legislative framework for the protection of victims, including their compensation.

<https://www.drejtesia.gov.al/baza-ligjore-dokumente/>

With the support of UNICEF Albania, the EU JUSTAL Project and the OSCE Presence, the Government of Albania approved for the first time the Cross-Sectoral Strategy for the Protection of



Crime Victims 2024-2030 and its Action Plan. Among other things, the Strategy provides for the compensation of the victims. Here is the link to the adopted Strategy:

<https://qbz.gov.al/eli/fz/2023/186/198e150f-ed3e-4938-846f-d6afb328dd0b>

- ☐ take additional measures to ensure that THB cases are investigated proactively, prosecuted effectively, and lead to effective, proportionate and dissuasive sanctions;

The Ministry of Justice is in the process of drafting a new Criminal Code in Albania. The draft law aims to improve the legal framework of substantive criminal law, based on the development of judicial practice, the unification of jurisprudence between the Supreme Court and the European Court of Human Rights, the provision of international standards, alignment with the legislation of the European Union and the implementation of the best practices from other countries.

The drafting of the new Criminal Code was a response to the frequent changes and additions reflected in the content of the existing Criminal Code. This initiative addresses the lack of effectiveness in the changes made over the years, as a result of the modifications of the sanctions for criminal offenses, the reformulation of the provisions and the need for harmonization between them, the alignment of the Criminal Code with the international acts in force, as well as its compatibility with the legislation of the European Union, considering Albania's membership in the EU.

Currently, the focus of criminal justice, influenced by global developments, includes the fight against money laundering, terrorism, the protection of financial rights, the protection of the environment, the prevention of drug trafficking and the prohibition of the trade and circulation of prohibited firearms. In this framework, within the Stabilization and Association Agreement, all measures related to the exploitation and trafficking of human beings, especially minors, defined in the acts of the European Union, are part of the drafting process of the new Criminal Code.

The approval of the new Criminal Code is planned in the National European Integration Plan for the years 2024-2026, with the aim of aligning it with directives in the field of criminal law. One of these directives is Directive 36/2011 "On the prevention and fight against human trafficking and the protection of victims, and the replacement of the Framework Decision of the Council 2002/629/CBD". Therefore, inter-institutional working groups have been created to prepare an analysis of the level of alignment and deficiencies in the current criminal legislation regarding the content of the Directive, with the aim of reflecting these deficiencies in the draft law for the adoption of the new Criminal Code.

This is essential because, regardless of the importance given to the fight against human trafficking in Albania, the inclusion of provisions from Directive 36/2011 in domestic legislation is necessary. The directive establishes a minimum standard of rules regarding the definition of criminal offenses and sanctions in the field of human trafficking. It also includes provisions related to the gender perspective to strengthen the prevention of this crime and the protection of its victims. Penalties in cases of human trafficking must be effective, preventative and proportionate. The involvement of public officials in trafficking is considered an important circumstance, guaranteeing additional penalties when legal entities are involved in criminal activities related to human trafficking. The directive describes state obligations to assist victims of trafficking, protect child victims of human trafficking and compensate them.

- ☐ increase efforts to proactively identify victims of trafficking for the purpose of labour exploitation;

With the law no. 13/2022 Albania has ratified convention no. 190 for the prohibition of violence and harassment in the workplace. With the aim of the interaction of the parties in the fight against discrimination and inequality at work, on 22.02.2023, the Cooperation Agreement was signed between State Inspectorate of Labor and Social Services (SILSS) and the Commissioner for Protection from Discrimination (CPD).

Furthermore, the Memorandum of Cooperation "On cooperation procedures for the identification of cases of forced labour and trafficking for the purpose of exploitation for work" between the Ministry of Interior, the Ministry of Finance and the Ministry of Economy, Culture and Innovation has been drawn up, which will be signed in the following months. The purpose of this memorandum is to increase preventive measures for proactive identification and protection of victims of forced labor and trafficking. The main focus of the memorandum is the implementation of the principle of legality for the prohibition of forced labor, protection of personal data, respect for the right to freedom of movement, social protection of work, non-discrimination, as well as protection of the best interest of children. The memorandum will contribute to the establishment of a close cooperation between the institutions party to it, in order to avoid delays in the exchange of information, but also to undertake joint actions in order to prevent and identify cases of exploitation at work.

During 2023, the State Labor Inspectorate and Social Services (SLISS) with the technical support of the International Labor Organization (ILO) and funding from the European Union (EU) within the ESAP 2 Project, has made it possible to improve the Risk analysis system, which aims to strengthen of the efficiency of the Risk Assessment System in the planning process of the subjects, relying on the history and analysis of historical data or the combination of any risk factor assessed at the level of the sector, region, etc. This is considered as an important development for SLISS towards a more effective and quality inspection in function of decent work, safety and health care at work.

During the year 2023, the SLISS has been part of the activities developed in relation to Convention C190, as follows:

- Training for Trainers, April 18-19, 2023 on the topic "Legal framework, international standards and national and international practice regarding discrimination, violence and harassment in the workplace and the role and interaction of inspection/monitoring institutions";
- Informative meeting on May 23, 2023 on the topic "The phenomenon of discrimination, violence and harassment as a matter of safety and health at work. The role of actors";
- Training on June 22-23, 2023 on the topic "Review of complaints related to discrimination, harassment and violence in the workplace and effective means to implement Article 10/h of Convention 190, such as: authorization to deal with violence and harassment in the workplace, including the issuance of orders requiring immediate enforcement action; orders to stop work in cases of imminent danger to life, health or safety, etc.;
- On October 23 - October 26, 2023, bilateral inspections of SLISS-CPD were carried out;
- On December 11, 2023, the SLISS - CPD annual conference took place "Together in an annual balance of achievements and experiences related to the reduction and elimination of discrimination, violence and harassment in the workplace.

Thus, the reengineering of the Risk Analysis System and participation in the activities developed within the implementation of Convention 190, are efforts and measures taken by the SLISS to proactively identify victims of trafficking for the purpose of labor exploitation.

- provide sufficient funding to NGOs assisting victims of THB and improve the assistance services available for male victims.

For years, the Ministry of Health and Social Protection has been financing from the state budget 3 non-state reception and reintegration centers ("Vatra", "Different and Equal" and "Tjetër Vizion") for the payments of social workers who provide services in residential centers and food funds for victims of trafficking.

Below you will find the funds allocated from the state budget for the 3 non-state reception and reintegration centers, as well as for the National Reception Center for Victims of Trafficking, which is a state center.

*Year 2019:*

For 2019, fund was allocated from the state budget for the payments of 29 social workers who provide services in residential centers and for a food fund for victims of trafficking, through non-public entities, the Association "Tjetër Vizion" "Vatra", and "Different & Equal". Specifically:

Center "Different & Equal"	2,306,800 ALL food fund 6,747,687 ALL salary fund (9 employees)
Center "Tjetër Vizion"	2,190,000 Lek food fund 5,792,615 ALL salary fund (8 employees)
Center "Vatra"	2,306,800 ALL food fund 8,976,564 ALL wage fund (12 employees)

For the National Reception Center for Victims of Trafficking, the total fund is 20,130,000 ALL, where 8,200,000 ALL are funds for operating expenses.

*Year 2020:*

For 2020, fund was allocated from the state budget for the payments of 28 social workers who provide services in residential centers and for a food fund for victims of trafficking, through non-public entities, the Association "Tjetër Vizion" "Vatra" and "Different & Equal" ". Specifically:

Center "Different & Equal"	2,306,800 ALL food fund 6,747,687 ALL salary fund (9 employees)
Center "Tjetër Vizion"	2,190,000 Lek food fund 1,792,615 ALL salary fund (8 employees)
Center "Vatra"	2,306,800 ALL food fund 8.976564 lek salary fund (11 employees)

For the National Reception Center for Victims of Trafficking, the total fund is 29,250,000 ALL, where 8,000,000 ALL are funds for operating expenses and 21,250,000 salary funds.

*Year 2021:*

For 2021, the fund was released from the state budget for the payments of 30 social workers who provide services in residential centers and for a food fund for victims of trafficking, through non-public entities, the Association "Tjetër Vizion" "Vatra", and "Different & Equal" ". Specifically:

Center "Different & Equal"	2,306,800,800 ALL food fund 6,784,658 ALL salary fund (9 employees)
Center "Vatra"	2,306,800 ALL food fund 9,446,272 ALL salary fund (12 employees)
Center "Tjeter Vizion"	2,193,000 ALL food fund 5,792,615 ALL salary fund (9 employees)

For the National Reception Center for Victims of Trafficking, the total fund is 22,350,000 ALL, for operating expenses, salaries and insurance and 21,250,000 salary funds.

*Year 2022:*

For 2022, the fund was released from the state budget for the payments of 30 social workers who provide services in residential centers and for a food fund for victims of trafficking, through non-public entities, the Association "Tjeter Vizion" "Vatra" and "Different & Equal" ". Specifically:

Center "Different & Equal"	2,306,800 ALL food fund 6,747,658 ALL salary fund (9 employees)
Center "Tjeter Vizion"	2,628,000 ALL food fund 6,406,796 ALL salary fund (9 employees)
Center "Vatra"	2,306,800 ALL food fund 9,499,501 ALL wage fund (12 employees)
National Reception Center for Victims of Trafficking	7,290,000 ALL food fund 12,828,000 ALL wage fund (17 employees)

*Year 2023:*

For 2023, the fund was released from the state budget for the payments of 30 social workers who provide services in residential centers and for a food fund for victims of trafficking, through non-public entities, the Association "Tjeter Vizion" "Vatra" and "Different & Equal" ". Specifically:

Center "Different & Equal"	2 306 800 ALL food fund 6,748,658 ALL salary fund (9 employees)
Center "Vatra"	2 306 800 ALL food fund 9 499 501 ALL wage fund (12 employees)
Center "Tjeter Vizion"	2 628 000 ALL food fund 6,406,794 ALL for 9 employees

24,131,000 ALL have been allocated for the National Reception Center for Victims of Trafficking, of which 16,661,000 ALL for salaries and insurance, while 1,258,014 ALL for food funds and 7,470,000 ALL for operating expenses.

In February 2023, Center “Vatra” applied for a project at the Ministry of Justice, following the call for proposals that the Ministry opened for organizations authorized by the Ministry to provide primary legal support to victims. After the approval of the project, the Ministry of Justice financed the Vatra project with a fund of 1,026,224 ALL.

**41. Please provide information on developments in your country since GRETA’s third evaluation report concerning:**

- ▣ emerging trends of trafficking in human beings;

See question 1:

- ▣ the legislation and regulations relevant to action against THB;

The legal and institutional framework that regulates, directly or indirectly, the fight against human trafficking:

- The Constitution of the Republic of Albania, amended;
- Criminal Code, article 110/a "Trafficking of adults", article 128/b "Trafficking of minors", article 298 "Assistance for illegal crossing of borders", article 124/b "Mistreatment of minors", article 117 "Pornography"
- Law no. 7905, dated 21.3.1995, "Criminal Procedure Code of the Republic of Albania", amended";
- Law no. 9669, dated 18.12.2006, "On measures against violence in family relationships", amended;
- Law no. 108/2014, "On the State Police", amended;
- Law no. 79/2021, "For foreigners";
- Law no. 10/2021, "On asylum in the Republic of Albania";
- Law no. 23/2015, "For the foreign service of the Republic of Albania";
- Law no. 10173, dated 22.10.2009, "On the protection of witnesses and associates of justice", amended;
- Law no. 9917, dated 19.5.2008, "On the prevention of money laundering and financing of terrorism", amended;
- Law no. 10192, dated 3.12.2009, "On preventing and combating organized crime and corruption through preventive measures against wealth", amended;
- Law no. 111/2017, "On legal aid guaranteed by the state";
- Law no. 98/2017, "On court fees in RA";
- Law no. 37/2017, "Code of Criminal Justice for Minors";
- Law no. 121/2016, "On social care services in the Republic of Albania";
- Law no. 18/2017, "On the rights and protection of the child";
- Law no. 10 383, dated 24.2.2011 "On mandatory health care insurance in the Republic of Albania", amended;
- Law no. 44/2012 "On mental health", amended;
- Decision of the Council of Ministers no. 1140, dated 24.12.2020, "On the approval of the Strategy against Organized Crime and Serious Crime 2021-2025 and the Action Plan 2023-

- 2025", amended;
- Decision no. 195, dated 11.4.2007, of the Council of Ministers, "On the approval of the Standards of social care services, in residential centers, for trafficked persons or at risk of trafficking";
  - Decision no. 933, dated 2.7.2008, of the Council of Ministers, "On the representation of the Ministry of the Interior with contact officers in Great Britain, Belgium, Italy, Greece, Turkey, Kosovo and Europol", amended;
  - Decision no. 729, dated 13.12.2023 of the Council of Ministers, "On the approval of the cross-sectoral strategy for the protection of crime victims 2024-2030, its action plan and the passport of indicators";
  - Decision no. 81, dated 14.2.2023 of the Council of Ministers, "On the approval of the cross-sectoral strategy for the prevention of violent extremism and the fight against terrorism 2023-2025 and the action plan 2023-2025";
  - Decision no. 81, dated 14.2.2023 of the Council of Ministers, "On the approval of the National Employment and Youth Strategy 2023-2030, the action plan for its implementation, as well as the implementation plan of the youth guarantee 2023-2024";
  - Decision no. 892, dated 27.12.2022 of the Council of Ministers, "On the approval of the cross-sectoral strategy of juvenile justice 2022-2026, the action plan and the passport of indicators";
  - Decision no. 91, dated 9.2.2022 of the Council of Ministers, "For the approval of the national action plan for equality, inclusion and participation of Roma and Egyptians, 2021-2025";
  - Order no. 805, dated 1.8. 2017, of the Minister of Interior, "For strengthening the control of Albanian citizens who cross the state border";
  - Cooperation agreement for the operation of the National Referral Mechanism for victims and potential victims of human trafficking (NRM), dated June 26, 2023;
  - Joint instruction no. 132, dated 8.9.2023, "On the establishment of the responsible authority for the identification, referral, protection and reintegration of victims/potential victims of trafficking";
  - Memorandum of understanding, of the Ministry of Interior, the Ministry of Tourism, Culture, Youth and Sports and the Presence of the Organization for Security and Cooperation in Europe in Albania (OSCE) "On the promotion and implementation of the Code of Conduct for the Protection of Children from sex exploitation in Tourism" (signed in 2007).

- ▣ the institutional and policy framework for action against THB (co-ordinating bodies, specialised entities, national rapporteur or equivalent mechanism, involvement of civil society, public-private partnerships);

In continuity, there is the political will of the Albanian Government to fight the phenomenon of trafficking and to treat and protect the victims of human trafficking. Based on the Order of the Minister of the Interior no. 18, dated 19.01.2024 "On the assignment of the duties covered by the deputy minister", the Deputy Minister of the Interior is charged with following, monitoring and coordinating the cooperation with the institutions charged with the implementation of measures in the framework of the fight against human trafficking.

The Directorate of Anti-Trafficking and Migration Policies remains the main structure focused on actions and policies against human trafficking, which coordinates and monitors anti-trafficking activities at the national, regional and international level.

During the reporting period, important measures were taken in the direction of increasing inter-institutional cooperation and coordination, for a coordinated and effective response, with the aim of prevention, identification, referral, protection and reintegration of VoT/PVoT, as well as criminal prosecution and punishment of traffickers. Specifically, some of the main acts are, as follows:

On June 26, 2023, the Cooperation Agreement for the Operation of the National Referral Mechanism for Victims and Potential Victims of Human Trafficking (NRM) was signed. The agreement includes 15 state and non-state institutions. The main focus of this agreement is the victim and her protection, examining each situation on a case-by-case basis and builds some standards accepted by all for how the entire process of identification, referral and, subsequently, protection of the victim of trafficking takes place. In addition to victims of trafficking, this agreement also protects potential victims of trafficking, thus aiming to exercise preventive protection for those persons who may be potential victims of trafficking. This is the most important instrument in terms of identification, referral, protection and assistance to victims/potential victims of trafficking. The process of drafting the agreement is the product of a long process of consultations and constructive debates between a significant number of important state, non-state, independent and national and international civil society agencies with a long experience in preventing and combating trafficking in persons, assisting and protecting victims not only in Albania, but also beyond it. Also, with the aim of increasing the role of labor inspectors in the initial identification of potential victims of trafficking and addressing the "victim-centered" approach through education and professional training, the Ministry of Finance and Economy has joined the NRM through the State Inspectorate of Labor and Social Services and the National Agency for Employment and Skills. Meanwhile, the Ministry of Interior, is represented by the General Directorate of the State Police and by the Agency for the Administration of Seized and Confiscated Assets. Based on the area of responsibility, the Ministry of Justice is also included in the NRM, as the supervisor of legal aid and compensation for victims of trafficking. The MoD has under its jurisdiction the State Commission for Free Legal Assistance

Joint Instruction No. 132, dated 08/09/2023 "On the establishment of the Responsible Authority for the identification, referral, protection and reintegration of victims and potential victims of trafficking" signed by the Minister of Interior, the Minister of Education and Sports, the Minister of Health and Social Protection, Minister of Finance and Economy and Minister for Europe and Foreign Affairs. The instruction clearly defines the general tasks as well as the specific tasks of the Responsible Authority, among which are: coordination of the process of identification, referral, leading the implementation of the National Referral Mechanism in relation to all cases of identified victims/potential victims of trafficking and referred to on the basis of this mechanism in accordance with the Standard Operating Procedures, as well as the specific tasks for each institution/organization, in this instruction, for which they must commit to carry out within the capacities they have. Based on this instruction, the Responsible Authority, in its composition, has a representative from the Directorate of Anti-trafficking and Migration Policies (director-chairman), 4 representatives from the General Directorate of the State Police (Sector against Illegal Traffic, Border Department and Migration, the Sector of Domestic Violence and the Protection of Minors and the Sector against Cybercrime) a representative from the State Social Service, a representative from the Ministry of Health and Social Protection, a representative from the State Agency for Protection of Children's Rights, a representative from the National Agency of Employment and Skills, a representative from the State Inspectorate of Labor and Social Services, a representative from the Consular Directorate in MEFA, a representative from the Ministry of Education and Sports and a representative from National Coalition of Anti-Trafficking Shelters. Representatives from the Prosecutor's Office and representatives from other members of the National Referral Mechanism are invited to be present at the RA meetings, depending on the needs for support and expertise, according to the cases to be handled. The Anti-Trafficking Sector in the MI serves as the Technical Secretariat of the RA.

The Regional Committees for the Fight against Trafficking in Persons are anti-trafficking structures set up in the 12 counties of the country and headed by the Prefects of the counties. The main functions of the Committee are mainly in the direction of preventing trafficking through the identification of primary problems, at the regional level, as well as through taking measures for the protection of individuals and groups at risk from trafficking, creating a database for all categories and individuals at risk of trafficking at the county level. During the reporting period, special importance has been given to the strengthening of the Regional Anti-trafficking Committees with the aim of their better functioning in relation to the prevention of trafficking through the identification of priority problems at the regional level, as well as through the assessment of the situation and the determination of specific needs within the region.

During 2019, the Ministry of the Interior in cooperation with the National Coalition of Anti-Trafficking Shelters signed the Agreement between the National Coordinator for the Fight against Trafficking in Persons and the National Coalition of Anti-Trafficking Shelters "On the Establishment and Functioning of the Advisory Board for Victims/ Potential Victims of Trafficking (No. 2931 Prot, dated 08.04.2019). On May 30, 2019, the Advisory Board for Victims/Potential Victims of Trafficking was established with 3 members. Pursuant to the Agreement, the Board Regulations, Confidentiality Statement and Consent Statement were drawn up. The Board has an advisory role on matters of the fight against human trafficking, prevention, criminal prosecution and in particular the protection of VoT and an active role in raising public awareness on the exploitation of persons for sexual purposes, forced labor, begging, or other forms of exploitation. Several meetings were held with the members of the Advisory Board, where the members gave suggestions on the preservation of confidentiality and privacy, the development of training for police officers related to interviewing the victim, ethical and professional communication.

From 2018, the Decision of the Council of Ministers no. 499, dated 29.08.2018 "On the approval of the Standard Action Procedures for the protection of victims and potential victims of trafficking" is implemented. The main focus of these procedures is the victim and his/her protection, examining each situation case by case and building some standards accepted by all on how the whole process of identification, referral and then protection of the victim of trafficking will take place. It should be emphasized that these procedures apply to all categories of victims/potential victims (minors and adults, women and men, Albanians and foreigners) who are subject to trafficking for all types of exploitation.

The Ministry of Interior is directing the drafting process of the National Strategy for Migration and its Action Plan, which will include the period 2024-2030. This document is being drawn up pursuant to Prime Minister's order no. 9, dated 26.1.2023 "On the establishment of the inter-institutional working group for the drafting of the National Strategy for Migration and its Action Plan". The main strategic goal is "Effective governance of migration in Albania, through addressing and managing the problems and challenges arising from migratory movements, aiming to increase the impact of migration on development, for the benefit of migrants and Albanian society". There are four political goals with reference to the National Strategy for Development and European Integration forecasts and assessments of political achievements in the migratory field, which constitute the four main pillars of the new strategic document, as follows:

1. Guaranteeing the strategic governance of migration in Albania;
2. Development of effective policies for migration for employment reasons, increasing the positive impact of migration on national/local socio-economic development;



3. Promotion of regular migration, protection of migrants' rights and their integration into Albanian society.

4. Strengthening the international protection system, guaranteeing the rights of asylum seekers and refugees and providing sustainable solutions".

The draft National Strategy for Migration 2024-2030 is expected to be approved soon.

The Ministry of Interior considers the coordination of efforts between international organizations working in the field of anti-trafficking to be very important. Given the international interest and the continuous support provided by several foreign governments and other entities, the Ministry of Interior, on October 27, 2022, organized the coordination meeting of donors who operate in the field of trafficking. The meeting was attended by representatives of the European Delegation, the Council of Europe, the American Embassy, the Embassy of United Kingdom, the Dutch Embassy, the UN, OSCE, IOM, GIZ and UNICEF, as well as representatives of the Ministry of the Interior. Donors participating in this meeting got acquainted with the priorities of the Albanian Government in the field of trafficking, focusing on strategic goals and specific objectives, according to DCM no. 670, dated 10.11.2021 "For the approval of the National Action Plan for the Fight against Trafficking in Persons 2021-2023".

In this meeting was discussed the strengthening of cooperation between international organizations and state structures, which have in their field of responsibility the fight against human trafficking, the coordination of actions in the implementation of the priorities and objectives of the Albanian government, as far as the implementation of the anti-trafficking action plan, as well as the support and cooperation of donors through the implementation of projects and their financial support, which will be an added value for current and future program interventions.

In the context of Albania's integration into the European Union, the Albanian Government approved for the first time the Intersectoral Strategy for the Protection of Crime Victims 2024-2030, with decision no. 729 on December 13, 2023, aligning it with the priorities and the program of the Albanian Government. The strategy, drawn up by the Ministry of Justice, has been prepared in the spirit of the EU Strategy for the Rights of Victims 2020-2025, as well as the EU acquis regarding the protection of crime victims. The strategy focuses on victims of crime in general and those with specific protection needs. It pays special attention to protecting and guaranteeing the rights of crime victims, providing an accessible, transparent and efficient criminal justice system that supports human rights according to European standards.

Among other things, the strategic document emphasizes inter-institutional coordination and cooperation in the implementation of protection and rehabilitation mechanisms for crime victims, creating safe environments for victims, especially considering vulnerable groups and marginalized communities with limited access to justice. In this context, the strategy has planned the development of the "Awareness Week for the Protection of Crime Victims in Albania", which is organized within the "European Day of Crime Victims", starting from February this year (February 15-22). The goal is to increase the awareness of society in the fight for and protection of crime victims.

During this week, awareness campaigns, informative discussions and other activities will be organized to encourage reflection and engagement on this important issue. Representatives from central and local institutions, civil society organizations and the community will participate in these activities, sharing knowledge and serving to strengthen cooperation between them in the protection of crime victims.

The protection of human rights and criminal justice for minors has been the focus of the work of the Ministry of Justice, confirming that it has undertaken numerous legal reforms in this area.

With the aim of further guaranteeing and consolidating the reform in criminal justice for minors, the Ministry of Justice has drawn up the second strategy for justice for minors, approved by the decision of the Council of Ministers no. 892, dated 27.12.2022, "On the approval of Intersectoral Juvenile Justice Strategy 2022-2026, action plan and indicative passport".

The Strategy has been drafted considering several important international and regional documents related to child-friendly justice, the progress reports of the European Commission for Albania and the suggestions given by the co-drafting institutions of this Strategy. The new Intersectoral Juvenile Justice Strategy 2022-2026 aims to reorganize juveniles in conflict with the law through norms and values for positive rehabilitation, reintegration into their community and prevention of recidivist behaviors.

This strategic document constitutes the policy document of the Albanian government that describes the basic pillars of the reform in juvenile justice and aims to promote a friendly and restorative justice for minors in conflict with the law, increasing the capacities and specialization of the main actors in Juvenile justice, a system consolidating full access to justice, effective and professional according to well-defined standards for every minor. Juvenile-friendly justice includes access to standard support services, accessible at all times and for every child.

- ▣ the current national strategy and/or action plan for combating trafficking in human beings (objectives, main activities, budget, bodies responsible for the implementation, monitoring and evaluation of results);

▣

In 2021, the Government approved the National Action Plan (NAP) for the Fight against Trafficking in Persons 2021-2023, approved by Decision of the Council of Ministers no. 670, dated 10.11.2021, which is the most important political and strategic document in the country in the field of anti-trafficking.

This document is a continuation of the anti-trafficking efforts and objectives foreseen in the Strategy against Organized Crime and Serious Crimes 2021-2025 and its Action Plan, of course, adapted to the dynamics of trafficking, the new governing vision in the approach to the phenomenon of trafficking to create a well-oriented platform of strategic goals and objectives, in accordance with other national strategic documents, as well as based on the recommendations of international partners.

The implementation of this action plan was based on the cooperation of many state actors, where the Ministry of Interior and its dependent institutions played a more prominent role and included a wide list of other state actors, such as: Ministry of Finance and Economy, Ministry of Health and Social Protection, Ministry of Education and Sports, Ministry for Europe and Foreign Affairs, Ministry of Justice, Ministry of Environment and Tourism. The NAP was carried out in cooperation with non-state actors, including international organizations and non-profit organizations, which exercise activity in the field of anti-trafficking and addressing its inciting factors.

The total estimated cost for the implementation of the National Action Plan for the Fight Against Human Trafficking 2021-2023 was 412,552,420 ALL, or 3,300,419 Euros. The average exchange rate for reference was calculated at 125 ALL per 1 Euro.

The financial effects have been calculated for each activity of the Action Plan, taking into consideration the products and indicators defined for each activity. The financial effects are expected to be borne by the respective annual budgets of the institutions charged with the implementation of the measures, from the budgets of donors and other institutions charged with the implementation of the measures.

The action plan was accompanied by an analytical cost of each measure, which is supported by a detailed breakdown of expenditures for each activity.

The Ministry of Interior, with the support of the OSCE, in October 2023 started the process of preparing the new National Action Plan for the Fight against Human Trafficking 2024-2025. On October 26, the draft of the Plan was presented to the members of the NRM, who forwarded comments and suggestions regarding the activities that will be foreseen in it. The National Action Plan maintains those elements assessed as the strongest points in the fight against trafficking, but also being updated with a new approach in response to the needs and the new context in which we find ourselves. In this Action Plan, important elements related to the comprehensiveness of state and non-state agencies have been preserved, as well as the extension of its action throughout the territory of the country, emphasizing again the strengthening of capacities and structures at the central and local level, based also on the new territorial-administrative reform. The draft was finalized in December 2023 and every activity envisaged in the document is accompanied by a financial cost. It is currently sent for the opinion of line ministries. Also, on February 27, the Ministry of Interior will organize a joint meeting with members of the NRM and with representatives of international organizations and diplomatic missions accredited in our country, where the specific objectives and concrete measures of the Albanian Government will be presented for the fight against human trafficking, as well as the political addressing of the recommendations of international reports. The purpose of this table is to coordinate and coordinate the measures planned in the 2024-2025 Action Plan with organizations and donors.

- ▣ recent case-law concerning THB for different forms of exploitation.

The unifying decision of the Criminal College of the Supreme Court, no. 00-2022-1679 Decision (217) dated 27.07.2022. For more information, see question 32.

### Part III - Statistics on THB

42. Please provide the following statistics, per year starting with 2019, where available disaggregated as indicated below:

- ▣ Number of presumed victims and identified victims of THB in the sense of having been recognised by a state institution or mandated NGO as bearers of rights to services provided for by the Convention (with breakdown by sex, age, nationality, form of exploitation, internal or transnational trafficking, and body which identified them).

For the reporting period 2019-2023, a total of 625 VoT/PVoT have been identified. Below is a table with data regarding status (victim/potential victim of trafficking), gender, age, nationality and forms of exploitation.

Year	Total	VoT	PVoT	Male	Female	Adults	Child ren	Albanian	Foreign
2019	103 VoT/PVoT	7	96	23	80	36	67	97	6
2020	86 VoT/PVoT	5	81	24	62	28	58	83	3
2021	159 VoT/PVoT	5	154	60	99	47	112	156	3
2022	112 VoT/PVoT	2	110	31	81	38	74	109	3

<b>2023</b>	<b>165</b> <b>VoT/PVoT</b>	1	164	50	115	56	109	161	4
<b>Total</b>	<b>625</b> <b>VoT/PVoT</b>	<b>20</b>	<b>605</b>	<b>188</b>	<b>437</b>	<b>205</b>	<b>420</b>	<b>606</b>	<b>19</b>

<b>Forms of exploitation</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>Total</b>
Sexual exploitation	65	48	59	60	80	312
Begging	22	24	51	37	60	194
Forced labor	4	3	16	5	3	36
Minor criminal offences	4	7	25	9	19	64
Streat situation	7	1	7		1 (theft)	16
Promise of marriage/forced marriage	1	3	1	1	2	8

- ☐ Number of victims of THB identified as part of the asylum procedure (disaggregated by sex, age, nationality, form of exploitation).

None

- ☐ Number of victims of THB who received assistance (disaggregated by sex, age, nationality, form of exploitation, internal or transnational trafficking).

During the reporting period, all victims and potential victims of trafficking have received assistance and protection in all three stages of their integration, whether in centers, families, apartments or in the community. The programs and measures that the government has undertaken in terms of the protection of VoT/PVoT, including assistance in education, health, legal advice, housing, etc., are continuously implemented. Also, in the implementation of projects and programs that are implemented in cooperation with partner organizations, support for employment, professional training, capacity building, financing for the establishment of small businesses, etc. has been provided. Below you will find some data and information:

During 2019, the Mandatory Health Care Insurance Fund issued health cards for VoT and PVoT, in accordance with the provisions of law no. 141/2014 dated 23.10.2014 "On mandatory health care insurance in the Republic of Albania", amended, which includes VoT and PVoT, the economically inactive category of persons whose health care is paid for by the state budget. For 2019, a total of 55 VoT/PVoT were provided with health cards.

During 2019-2023, a total of 87 victims and potential victims of trafficking were registered as unemployed jobseekers at the employment offices. They have received information and counseling according to their needs about opportunities to work in the labor market.

In implementation of the program "Transformation of the national response to trafficking in and from Albania", during the period 2021-2022, about 24 beneficiaries have been included in the intership program working in different businesses. 25 beneficiaries have been supported for the preparation of business plans and the opening of 25 small businesses: a shop for selling clothes, tailoring, aesthetics,

selling used shoes, a shop for making and selling jams, a shop for baking, grinding and selling coffee, etc. In implementation of this program, the cooperation resulted in the employment of 70 individuals (female heads of households, individuals at risk of trafficking and victims/possible victims of trafficking) for the period 2020-2022, while the startups are 40 for the same period. "

- ☐ Number of child victims of THB who were appointed legal guardians.

State Agency for Protection Children's Rights (SAPCR) and has annual statistical data only on cases of trafficked children that have been managed by Child Protection Units.

From the reports of CPU for the years 2019-2023, results as follows;

Year 2019 - 45 cases of trafficked children managed by CPUs;

Year 2020 - 60 cases of trafficked children managed by CPUs;

Year 2021 - 38 cases of trafficked children managed by CPUs;

Year 2022 - 35 cases of trafficked children managed by CPUs.

Until September 2023, there are 20 cases of trafficked children, managed by CPUs. SAPCR is in the process of collecting and processing statistical data for 2023. Child Protection Officer manage and monitor cases of children in need of protection, including VoT/PVoT children. Pursuant to the SOPs, the Child Protection Officer is part of the formal interview of the children, and in cases where the child is found to be VoT/PVoT takes the case for protection according to the legislation in force, implementing the steps for case management. The Child Protection Officer, in cooperation with the Intersectoral Technical Group at the local level, draw up the Individual Child Protection Plan.

- ☐ Number of victims of THB granted a recovery and reflection period (disaggregated by sex, age, nationality, form of exploitation).
- ☐ Number of victims of THB granted a residence permit, with an indication of the type of the permit (for the purpose of co-operation in the investigation/proceedings, on personal grounds, other) and its duration (disaggregated by sex, age, nationality, form of exploitation).

For the reporting period, 9 cases were granted residence permits:

- 1 possible victim of trafficking, female, 38 years old, Romanian, sexual exploitation, humanitarian residence permit, 6 months;
- 1 possible victim of trafficking, female, 35 years old, Filipino, exploitation for work, humanitarian residence permit, 3 months;
- 1 possible victim of trafficking, female, 49 years old, from Sri Lanka, exploitation for work, humanitarian residence permit, 6 months;
- 1 possible victim of trafficking, female, 39 years old, from Syria, sexual exploitation, residence permit as an asylum seeker, 6 months;
- 1 possible victim of trafficking, female, 24 years old, from Gambia, sexual exploitation, humanitarian residence permit, 3 months;
- 1 victim of trafficking, female, 23 years old, Serbian, sexual exploitation, humanitarian residence permit, 3 months;
- 1 possible victim of trafficking, female, 31 years old, Italian, sexual exploitation, humanitarian residence permit, 3 months;
- 1 possible victim of trafficking, female, 24 years old, Romanian, promise of marriage, humanitarian residence permit, 3 months;

- 1 possible victim of trafficking, female, 32 years old, Romanian, exploitation for work, humanitarian residence permit, 3 months.
- ☐ Number of persons given refugee status or subsidiary/complementary protection on the grounds of being victims of THB (disaggregated by sex, age, nationality, form of exploitation).

2 juvenile cases were identified among the group of refugees with PVoT status (one Syrian and one Afghan).

- ☐ Number of victims of THB who claimed compensation, who were granted compensation and who effectively received compensation (disaggregated by sex, age, nationality, form of exploitation, with an indication of whether the compensation was provided by the perpetrator or the State, and the amount awarded).

During 2018, in cooperation with the Center for Citizen Initiatives, D&E supported a case (victim of trafficking) in court for compensation. The Court of First Instance of Tirana in 2018 decided: "The obligation of the trafficker to compensate the victim as a result of sexual exploitation in the total amount of ALL 5,595,623.4. The decision was appealed by the author's lawyer. In 2023, the Tirana Court of Appeal left the Tirana Court of First Instance in effect. The victim has not yet been compensated by the author or the state.

In December 2023, 1 victim of trafficking, female, 24 years old, of Albanian nationality, sexual exploitation applied for compensation. The process is in the initial stage, where it has been requested that, during the criminal process (for the punishment of the trafficker), the civil process of compensation for the victim should be proceeded simultaneously.

- ☐ Number of victims of THB who received another form of financial support from the State, with the indication of the amount received.

Based on the legislation in force, victims/potential victims of trafficking have the right to receive financial support (economic aid) from the state, after they leave the shelter until they are employed, in the amount of 9,900 ALL. For the period 2019-2023, a total of 52 victims/potential victims of trafficking have benefited from economic assistance. Specifically, in the year:

2019- 9 VoT/PVoT;

2020- 9 VoT/PVoT;

2021 -10 VoT/PVoT;

2022- 11 VoT/PVoT;

2023- 13 VoT/PVoT.

- ☐ Number of victims of THB who received free legal aid.

The Directorate of Free Legal Aid is the institution responsible for the administration of the system of legal aid guaranteed by the state based on the data of the cases that have been handled by their providers: 20 centers of the primary service of legal aid, 15 non-profit organizations and 12 legal clinics in all of Albania.

In 2019, it was possible to approve 90% of by-laws in the field of legal aid guaranteed by the state. Despite the fact that the law entered into force in 2018, the organizational structure was approved in March 2019. For this year, there are no processed data on victims of trafficking.

From the administration and monthly analysis of the register of requests and self-declarations for primary and secondary legal aid for the number of cases treated for victims of trafficking related to the benefit of free legal aid from 2020-2023, a total of 203 possible victims/ victims of trafficking have benefited from primary legal aid and 1 has benefited from secondary legal aid.

Year	Primary legal aid
2020	24
2021	43
2022	44
2023	92
<b>TOTAL</b>	<b>203</b>

Regarding the utilized budget, the Free Legal Aid Directorate (FLAD) has a dedicated budget for the beneficiary categories of law no. 111/2017, "On legal aid guaranteed by the state", the budget of the FLAD is fully provided for the entire field of its activity.

For all victims supported by the National Coalition of Anti-Trafficking Shelters, legal assistance and counseling is provided by professional lawyers of these organizations. The organizations "Vatra" and "D&E" are authorized by the Ministry of Justice for the period 2022 - 2024 to provide free legal assistance. All victims are informed about their rights, the legislation and also, for those cases where they have denounced their traffickers, they have been assisted during the entire process of reporting to the police, during interrogation at the prosecutor's office and in court. During the years 2019-2023, 402 victims of trafficking/potential victims of trafficking have benefited from free legal aid (primary legal aid, secondary legal aid and representation in court).

- ☐ Number of victims of THB who were returned or repatriated to/from your country (disaggregated by sex, age, country of destination, form of exploitation).

During the years 2019-2023, assisted voluntary return was made possible for 7 potential victims of trafficking:

- 1 male, potential victim of trafficking, Filipino, exploitation for forced labor;
- 1 female, potential victim of trafficking, 35 years old, Filipino, exploitation for forced labor;
- 1 female, potential victim of trafficking, 39 years old, from Sri Lanka, exploitation for forced labor;
- 1 female, potential victim of trafficking, 31 years old, Greek, sexual exploitation;
- 1 female potential trafficking victim, 28 years old, from Gambia, sexual exploitation;
- 2 male potential victims of trafficking, minors from Afghanistan and Syria, were reunited with their family of origin.

- ☐ Number of investigations into THB cases (disaggregated by type of exploitation, with an indication of the number of victims concerned).

Please find below statistics of the State Police, for the period 2019-2023.

Year 2019:

No.	CRIMINAL OFFENSES BY TRENDS	Identified	Detected	Detected in %	Authors of criminal offenses	
					Total	Security measures

						Arrested	Detained	Prosecuted at large	On the run	Different
1	Trafficking in persons	34	31	91.18	45	6	1	29	6	3
2	Trafficking in minors	7	7	100	17	4	0	12	1	0
3	Benefit from or use of services provided by trafficked persons	2	2	100	2	0	0	2	0	0
4	Exploitation of prostitution	71	59	83.1	79	9	5	57	8	0
5	Using premises for prostitution	20	20	100	31	4	2	24	1	0

Year 2020:

No.	CRIMINAL OFFENSES BY TRENDS	Identified	Detected	Detected in %	Authors of criminal offenses				
					Total	Security measures			
						Arrested	Detained	Prosecuted at large	On the run
1	Trafficking in persons	22	19	86.4	14	12	0	2	0
2	Trafficking in minors	5	7	100	5	0	0	5	0
3	Benefit from or use of services provided by trafficked persons	2	2	100	2	0	0	2	0
4	Actions that facilitate trafficking	2	2	100	5	0	0	2	0
5	Exploitation of prostitution	59	52	88.1	83	8	15	6	4
6	Using premises for prostitution	20	19	95	42	2	15	3	2
7	Assistance for illegal crossing of borders	304	293	96.3	572	317	43	165	47

Year 2021:

No.	CRIMINAL OFFENSES BY TRENDS	Identified	Detected	Detected in %	Authors of criminal offenses				
					Total	Security measures			
						Arrested	Detained	Prosecuted at large	On the run
1	Trafficking in persons	14	12	85.71	25	7	2	16	0
2	Trafficking in minors	9	9	100	9	2	0	7	0
3	Benefit from or use of services provided by trafficked persons	0	0	0	0	0	0	0	0
4	Actions that facilitate trafficking	0	0	0	0	0	0	0	0
5	Exploitation of prostitution	39	35	89.7	41	9	3	29	0
6	Using premises for prostitution	11	11	100	13	4	1	8	0
7	Assistance for illegal crossing of borders	389	377	96.92	576	274	25	230	35

Year 2022

NR	CRIMINAL OFFENSES BY TRENDS	Identified	Detected	Detected in %	Authors of criminal offenses					
					Total	Security measures				
						Arrested	Detained	Prosecuted at large	On the run	Different
1	Trafficking in persons	21	21	100	30	0	0	30	0	0
2	Trafficking in minors	12	12	100	18	0	0	18	0	0



3	Benefit from or use of services provided by trafficked persons	5	5	100	5	0	0	5	0	0
4	Actions that facilitate trafficking	3	3	100	5	0	0	5	0	0
5	Exploitation of prostitution	69	64	92.75	89	12	3	73	1	0
6	Using premises for prostitution	37	33	89.19	47	12	2	33	0	0
7	Assistance for illegal crossing of borders	418	411	98.33	628	272	46	261	45	4

Year 2023:

No.	CRIMINAL OFFENSES BY TRENDS	Identified	Detected	Detected in %	Authors of criminal offenses					
					Total	Security measures				
						Arrested	Detained	Prosecuted at large	On the run	Different
1	Trafficking in persons	36	36	100	90	5	0	83	2	0
2	Trafikimi i të miturve	15	14	93.3%	18	1	0	15	2	0
3	Benefit from or use of services provided by trafficked persons	0	0	0	0	0	0	0	0	0
4	Actions that facilitate trafficking	3	3	100	3	0	0	3	0	0
5	Exploitation of prostitution	2	2	100	20	0	0	21	0	1
6	Using premises for prostitution	44	44	100	103	20	5	74	4	1
7	Assistance for illegal crossing of borders	154	152	98.7	291	114	33	108	29	7

- ☐ Number of prosecutions in THB cases (disaggregated by type of exploitation, with an indication of the number of victims and defendants concerned).

Regarding the statistical indicators of trafficking, according to the data of the Office of Statistics in the General Prosecutor's Office, since 2019, the results are as follows:

1. Statistical indicators of trafficking in persons for the year 2019:

- From the statistical data, there is an increasing trend of proceedings registered for the criminal offense provided for by Article 110/a of the Criminal Code "Trafficking of adults" in 2019, of 11.76% compared to 2018, from 17 in 19 proceedings. The number of proceedings sent to the court has increased from 1 proceeding with 3 defendants in 2018 to 2 proceedings with 4 defendants for 2019.

- The number of proceedings registered for the criminal offense provided for by Article 128/b of the Criminal Code "Trafficking of minors" in 2019 is 6, while in 2018 it was 5, the number of proceedings sent to court is 1, the same as in 2018. Even the convictions in 2019 are the same as in 2018, specifically 4 convicted.

2. Statistical indicators of human trafficking for 2020:

- Regarding the trafficking of adults, provided for by Article 110/a of the Criminal Code, from the statistical data for this criminal offense, an increasing trend of registered proceedings of 21.05% compared to 2019 is observed. In 2020, for this criminal offense, 23 criminal proceedings were registered and 1 proceeding with 2 defendants was sent for trial.

- For the criminal offense "Trafficking of minors" provided for by Article 128/b of the Criminal Code in 2020, 5 proceedings were registered for this criminal offense or 1 proceeding compared to 2019, and 1 proceeding was sent for trial with 11 defendants or with an increase of about 5 times the number of people sent for trial, compared to 2019.

3. Statistical indicators of trafficking in persons for the year 2021:

- Regarding the trafficking of adults, provided by Article 110/a of the Criminal Code, in 2021, according to statistical data, 8 criminal proceedings with 2 defendants were registered for this offense, and 2 proceedings with 4 defendants were sent to trial, or compared to 2020 with a 34.7% decrease in the number of registered proceedings and an increase in the number from 1 proceeding with 2 defendants sent for trial in 2020 to 2 proceedings with 4 defendants sent for trial in 2021 for this criminal offense.

- For the criminal offense "Trafficking of minors" provided by Article 128/b of the Criminal Code, according to statistical data in 2021, 2 criminal proceedings with 2 defendants were registered for this offense, and 2 proceedings with 2 defendants were sent to trial or compared to 2020 with a 66.6% reduction in the number of proceedings registered and the same figures of the number of proceedings and defendants sent for trial for this criminal offense.

4. Statistical indicators of trafficking in persons for the year 2022:

- For the offense of trafficking of adults, provided by Article 110/a of the Criminal Code, 7 criminal proceedings were registered and 2 defendants were sent for trial, or compared to 2021 with a reduction from 8 to 7 of the number of proceedings registered and reduction from 4 to 2 of the number of defendants sent for trial for this criminal offense.

- For the criminal offense "Trafficking of minors" provided by Article 128/b of the Criminal Code, 4 proceedings have been registered, while there are no proceedings or defendants sent for trial or compared to 2021, with an increase from 2 to 4 in the number registered proceedings and reduction of the number from 2 to 0 of the proceedings and the defendant sent for trial for this crime.

5. Statistical indicators of trafficking in persons for the 9th month of 2023:

i) Regarding "Trafficking of adults", provided by Article 110/a of the Criminal Code, on the 9th of the month of 2023, according to statistical data, it appears that 1 criminal proceeding was registered, compared to 7 criminal proceedings registered in the same period of a year ago.

ii) For the criminal offense "Trafficking of minors" provided for by Article 128/b of the Criminal Code, according to statistical data, it results that in the 9th month of 2023, 7 criminal proceedings and 2 defendants were registered, while 1 criminal proceeding with 2 defendants has been sent for trial. Compared to the 9th month of 2022, during which there was 1 registered proceeding and no proceeding sent for trial, there is an increase in the indicators for this criminal offense during the reporting period.

Data of the Special Structure against Corruption and Organized Crime (SPAK) for the cases registered for human trafficking in the framework of the structured criminal group for the years 2019-2023:

Year 2019:

				<b>Conclusion</b>
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<b>Nr. Order</b>	<b>Criminal offenses</b>	<b>Cases registered in 2019</b>	<b>Number of persons</b>	
1	110/a, 278/a, 283/a, 333/a	1		Sent for competence
2	110/a, 334, 333/a	1		Suspended
3	110/a, 333/a, 334	1		Suspended
	<b>Total</b>	<b>3</b>		

In 2020, there were no registered cases of trafficking in persons in the framework of a structured criminal group.

Year 2021:

<b>Nr. Order</b>	<b>Criminal offences</b>	<b>Cases registered in 2021</b>	<b>Number of persons</b>	<b>Conclusion</b>
1	110/a/1, 283/a/1, 28/4, 333/a, 334	1		Investigation
2	110/a, 284/a	1	1	Dismissed
	<b>Totali</b>	<b>2</b>	<b>1</b>	

Year 2022:

<b>Nr. Rend</b>	<b>Criminal offences</b>	<b>Cases registered in 2022</b>	<b>Number of persons</b>	<b>Conclusion</b>
1	110/a, 143, 186, 298/3, 333/a	1		Unified
2	110/a, 114/2, 287, 333/a	1		Investigation
	<b>Total</b>	<b>2</b>		

Year 2023:

<b>Nr. Order</b>	<b>Criminal offenses</b>	<b>Cases registered in 2022</b>	<b>Number of persons</b>	<b>Conclusion</b>
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1	110/a, 283, 283/a, 298/2, 333/a	1		Investigation
	<b>Total</b>	<b>1</b>		

- ☐ Number of convicted perpetrators of THB (disaggregated by sex, age, nationality, form of exploitation).
- ☐ Number of convictions for THB, with an indication of the form of exploitation, whether the victim was adult or child, the type and duration of the penalties, and whether they were effectively enforced or suspended.

The data of the Ministry of Justice regarding the punishments for the criminal offense of trafficking in persons, specifically, Article 110/a "Trafficking of adults" and Article 128/b "Trafficking of minors", for the years 2019-2022 are provided below. Regarding the 2023 data, we will send it to you as soon as it is processed and analyzed.

Art.	2019		2020		2021		2022	
	Resolved cases	Convicts	Resolved cases	Convicts	Resolved cases	Convicts	Resolved cases	Convicts
110/a	4	2	1	2	3	3	1	3
110/b	0	0	0	0	0	0	0	0
110/c	0	0	0	0	0	0	0	0
128/b	3	4	0	0	1	1	0	0

- ☐ Number of judgments in THB cases resulting in the confiscation of assets.

0

- ☐ Number of convictions of legal entities for THB.

0